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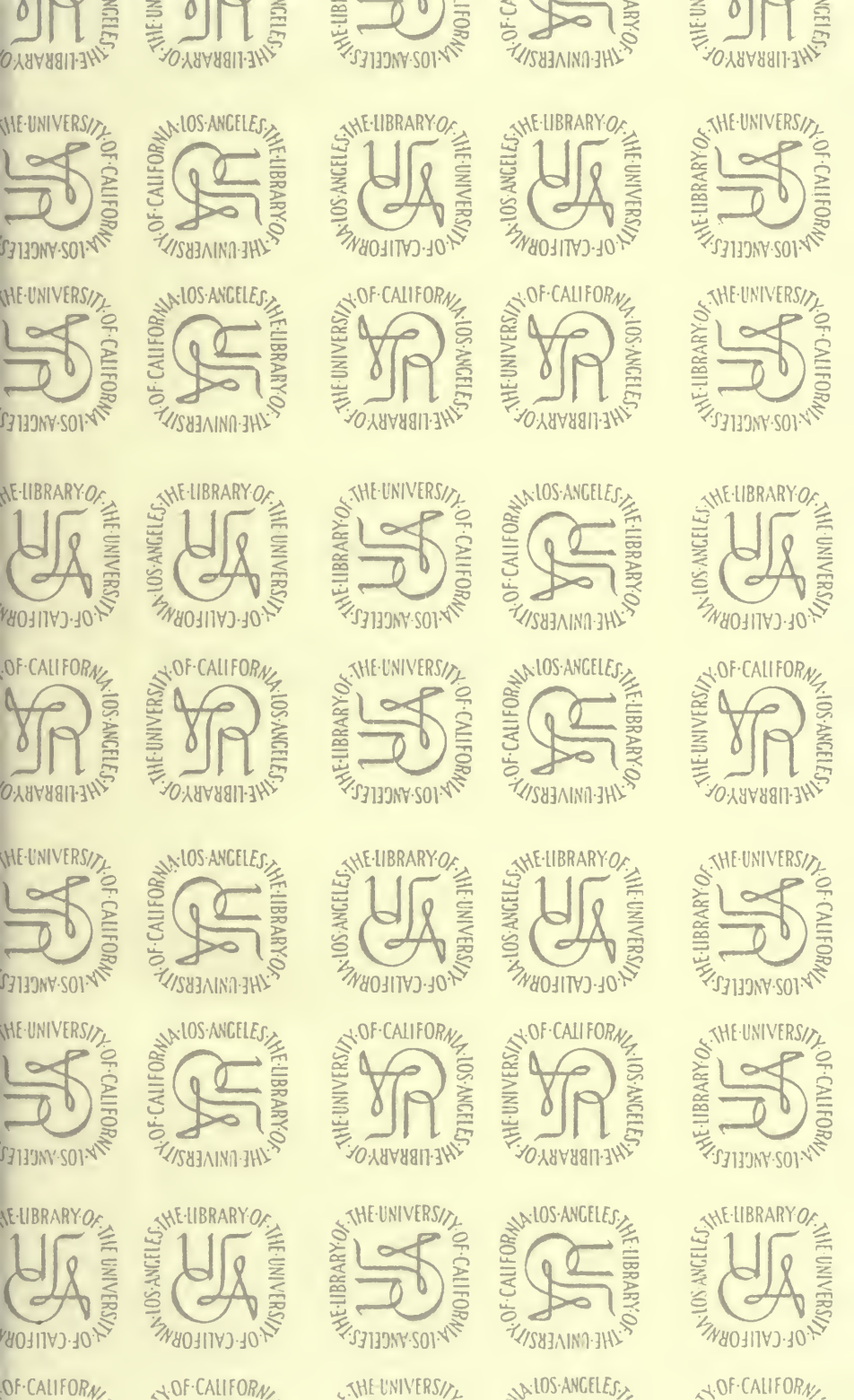
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THE

WORKS

OF

FRANCIS BACON.

VOL. IX.

THE

WORKS

OF

FRANCIS BACON

BARON OF VERULAM, VISCOUNT ST. ALBAN,

AND

LORD HIGH CHANCELLOR OF ENGLAND.

COLLECTED AND EDITED BY

JAMES SPEDDING, M.A.

OF TRINITY COLLEGE, CAMBRIDGE;

ROBERT LESLIE ELLIS, M.A.,

LATE FELLOW OF TRINITY COLLEGE, CAMBRIDGE;

AND

DOUGLAS DENON HEATH,

BARRISTER-AT-LAW; LATE FELLOW OF TRINITY COLLEGE, CAMBRIDGE.

VOL. IX.

THE LETTERS AND THE LIFE, VOL. II.

LONDON:

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CONTENTS

OF THE SECOND VOLUME.

BOOK II.

CHAPTER I.

A.D. 1595–6. ÆTAT. 35.

Page

1. Literary work: 'Formularies and Elegancies,' 'Essays,' etc. . 1
2. Letters of Advice from the Earl of Essex to the Earl of Rutland. Traces of them among Bacon's papers 2
3. Reasons for suspecting Bacon's hand in them 4
4. To the Earl of Rutland on his Travels.
   Letter I. 6
   Letter II. 16
   Letter III. 19
5. Letter of Advice from the Earl of Essex to Sir Foulke Greville on his Studies 21

CHAPTER II.

A.D. 1596. ÆTAT. 36.

1. Borrowing on security 27
   Letter to Mr. Maynard and Mr. Hicks, 12th of March, 1595 28
2. Projected attack on the Spanish fleet and coasts. Qualifications of the Earl of Essex for command 28
3. Death of Lord Keeper Puckering. Egerton made Lord Keeper . 30
   Letter to the Earl of Essex 30
   Letter to Anthony Bacon, 15th of May, 1596 32
   Letter to the same, 20th of May, 1596 32
   The Rolls in Commission 33
   Letter to Anthony Bacon 33
   Letters from the Earl of Essex recommending Bacon for Master of the Rolls 34

678139

Page

LETTER TO THE EARL OF ESSEX 36
LETTER TO ANTHONY BACON 36
4. LETTER TO MR. R. CECIL, ABROAD 38
5. Expedition against Spain. Essex commander of the forces by land. Capture of Cadiz. Position of Essex . . . 38
LETTER TO THE EARL OF ESSEX 40
Occupations. 'Maxims of the Law,' 'Essays,' 'Colours of Good and Evil,' 'Meditationes Sacræ' 45
LETTER TO MR. THOMAS HESKET, 22nd of December, 1596 . 46

CHAPTER III.

A.D. 1597. ÆTAT. 37.

1. Essex at Court. Quarrels and reconciliations. Made Master of the Ordnance. Mastership of the Rolls still vacant. Some arrangement proposed to make a place for Bacon . . . 47
LETTER TO LORD BURGHLEY 49
LETTER TO SIR JOHN STANHOPE 50
LETTER TO THE EARL OF ESSEX 51
LETTER TO LORD BURGHLEY 51
2. Death of Sir William Hatton. Bacon's project of marriage with his widow. Another expedition against Spain. Essex commander-in-chief both by land and sea 53
LETTER TO THE EARL OF ESSEX 55
3. Inquiry concerning the fees exacted by Mr. Mill, Clerk of the Star Chamber 56
THE HUMBLE MOTION AND ALLEGATIONS OF FR. BACON CONCERNING CERTAIN FEES RESTRAINED BY THE RIGHT HONOURABLE THE LORD KEEPER, etc. 57
LETTER TO LORD KEEPER EGERTON 60
4. Mr. Mill threatened with other charges. Bacon's interest in the matter 64
LETTER TO LORD KEEPER EGERTON, 12th of November, 1597 65
5. Further proceedings against Mr. Mill 66
LETTER TO THE LORD KEEPER, 22nd of January, 1597 . . 66
LETTER TO THE QUEEN 67
6. The Island Voyage. Plan and conduct of the expedition; causes of failure. Why Essex took the fleet to St. Michael's when his business was to intercept the passage to Terceira; and why the capture of Fayal by Ralegh was not mentioned in the official report of the voyage. The English coast in danger. The Spanish fleet in the Channel dispersed and disabled by a storm. Return of the English fleet. Essex's grievances . 68

CHAPTER IV.

A.D. 1597–8. ÆTAT. 37.

Page

1. A new Parliament. Decorous and dignified proceeding of the Government. Postponement of motion for Supply till all the principal Commonwealth measures had been introduced. Relief of the poor. Maintenance of husbandry 77
SPEECH AGAINST ENCLOSURES 82
2. Grant of three subsidies payable in three years, passed without a dissentient voice 83
SPEECH UPON THE MOTION OF SUBSIDY 85
2*. Jealousies and discontents of the Earl of Essex. The Lord Admiral created Earl of Nottingham. Question of precedence. Essex made Earl Marshal 89
3. Sir Robert Cecil's negotiation in France. Irish affairs. Truce with the Earl of Tyrone 91
A LETTER OF ADVICE TO THE EARL OF ESSEX TO TAKE UPON HIM THE CARE OF IRISH CAUSES WHEN MR. SECRETARY CECIL WAS IN FRANCE 94
4. Terms offered to Tyrone. His exceptions. Bacon's advice asked for by Essex 96
A LETTER OF ADVICE TO THE EARL OF ESSEX, UPON THE FIRST TREATY WITH TYRONE, 1598, BEFORE THE EARL WAS NOMINATED FOR THE CHARGE OF IRELAND . . . 98
5. Tyrone pardoned. Measures of precaution neglected. Progress of negotiation in France 100
LETTER TO SIR ROBERT CECIL AT HIS BEING IN FRANCE . 101
LETTER TO THE SAME 102
6. Essex and the Queen. The great quarrel 102
LETTER TO THE EARL OF ESSEX 104
Altered relation between Essex and the Queen 105

CHAPTER V.

A.D. 1598. ÆTAT. 38.

1. Bacon arrested for debt 106
LETTER TO SIR ROBERT CECIL, 24th of September, 1598 . 106
LETTER TO LORD KEEPER EGERTON 107
2. More Tower employment. Conspiracy of Edward Squire . . 108
A LETTER WRITTEN OUT OF ENGLAND TO AN ENGLISH GENTLEMAN REMAINING IN PADUA, CONTAINING A TRUE REPORT OF A STRANGE CONSPIRACY, etc. 110
Credibility of the story 119

Page

3. Treatise entitled 'An Historical Account of the Alienation Office,' ascribed to Bacon upon insufficient evidence. Reasons for supposing that it was written by William Lambarde . . 120

CHAPTER VI.

A.D. 1599. ÆTAT. 39.

1. Irish affairs. Breach of the Treaty by Tyrone. Siege of Blackwater. Defeat of Sir Henry Bagnall and spread of the rebellion. Essex becomes more submissive and is admitted again to see the Queen 122
2. Death of Sir Richard Bingham. Necessity of a great effort to reconquer Ireland. Lord Montjoy nominated for the charge. Nomination cancelled by the influence of Essex, who undertakes the task himself 123
3. Bacon, being applied to for advice, endeavours unsuccessfully to dissuade him from going 126
4. Largeness of the authority stipulated for by Essex. Bacon's uneasiness 127

LETTER OF ADVICE TO MY LORD OF ESSEX IMMEDIATELY BEFORE HIS GOING INTO IRELAND 129

5. Misgivings with regard to Essex's purposes. Tone of his letters to the Council. Demands and complaints. Behaviour before he arrived at the scene of action 133
6. Proceedings upon his arrival. Disposition of the rebel forces. March through Munster, and return to Dublin with the army half wasted away 136
7. Professes an intention to march against Tyrone in Ulster, but wants a reinforcement of two thousand men. Disaster of Sir Conyers Clifford 139
8. March into Ulster. State of the army. Advice of the captains. Meeting with Tyrone; parley and truce 139
9. General result of the campaign. Difficulty of believing that Essex's first object was to put an end to the rebellion. Conjecture as to his real design 141
10. The Queen demands explanations, and in the meantime commands him to stay and wait for instructions . . . 145
11. Essex's difficulty. Being unable to explain the grounds of his proceeding except in person, he proposes to return to England at the head of his army; but by advice of Blount and Southampton consents to take with him only a select band of captains. His sudden appearance at Nonsuch and reception by the Queen 146

Page

12. Bacon, hearing that Essex has been commanded to keep his chamber, repairs to Nonsuch 149
LETTER TO THE EARL OF ESSEX 150
Bacon's account of their interview, and of the advice he gave him. His ignorance of Essex's real position 150

CHAPTER VII.

A.D. 1599–1600. ÆTAT. 39–40.

1. Spirit of Essex's followers. Danger of a violent rescue avoided by the course which the Queen took with him. Committed to the custody of the Lord Keeper. His professions. His real object in coming over. His reluctance to disclose the conditions demanded by Tyrone. Consequence of the disclosure when it came 152
2. The Queen's reasons for being dissatisfied with the Earl's story. Strange news from Ireland. Popular dissatisfaction, and measures taken to quiet it. Bacon's warning and advice. Declaration by the Councillors in the Star Chamber . . . 156
3. Popular misapprehension of the part which Bacon had taken in the matter. Violence threatened. His absence from the Star Chamber when the declaration was made 159
LETTER TO THE QUEEN 160
LETTER TO LORD HENRY HOWARD 161
LETTER TO SIR ROBERT CECIL 162
4. Essex still at York House. How employed 162
5. LETTERS TO THE QUEEN ON SENDING NEW-YEAR'S GIFTS . 163
6. Suit to the Queen for a grant of land 164
LETTER TO THE QUEEN, 12th of March, 1599 . . . 165
7. Essex's position. His secret negotiations with the King of Scots. Part taken by Lord Montjoy. Object of the intrigue 166
8. Essex recommended by his friends to attempt an escape into France: but refuses to lead the life of a fugitive . . . 169
9. Montjoy appointed to the command in Ireland. Renewed proposition to the King of Scots for the arrangement of some joint action between the army in Scotland, the army in Ireland, and the Earl's partisans in England, to compel a declaration as to the succession. The King of Scots not prepared. Essex urges Montjoy to proceed with the design, who declines. Essex allowed to return to his own house under charge of a keeper 170
10. The Queen, having no suspicion of these things, resolves to bring the case of Essex to a formal hearing. Judicial proceeding at

Page

York House. Composition of the Court and form of proceeding. Part assigned to Bacon. Sentence of the Court . . 172

11. Bacon's advice to the Queen. Commanded to draw up a narrative of the proceeding; which having been read over to her, is at his suggestion and with her consent suppressed. Fragment of it found among Bacon's papers 174

THE PROCEEDINGS OF THE EARL OF ESSEX 175

12. Essex released from his keeper, and ultimately restored to full liberty 188

CHAPTER VIII.

A.D. 1600. ÆTAT. 40.

1. Bacon's part in the proceeding at York House. His dealings with and for the Earl during the next two months . . . 190

LETTER TO THE EARL OF ESSEX, 20th of July, 1600 . . 190

The Earl's Answer. Letters drawn up for him by Bacon . . 192

LETTER TO THE QUEEN 193

SUBSTANCE OF A LETTER I NOW WISH YOUR LORDSHIP SHOULD WRITE TO HER MAJESTY 194

2. TWO LETTERS FRAMED BY SIR FRANCIS BACON, THE ONE AS IN THE NAME OF MR. ANTHONY BACON, HIS BROTHER, TO THE EARL OF ESSEX, THE OTHER AS THE EARL'S ANSWER THEREUNTO 197

3. Bacon's advice followed for awhile. The effects of it. Essex's dangers and secret fears. Contrast between the temper in which he affected to be and the temper in which he really was. Change in the Queen's feelings towards him, and the causes of it. Monopoly-patent not renewed. Bacon's influence at an end . . 202

4. Private affairs. Preparation for his double reading at Gray's Inn. Payment of pressing debts 204

LETTER TO MR. MICHAEL HICKES, 25th of January, 1600 . 205

LETTER TO THE SAME 205

5. Essex, returning to his former projects, resolves to carry his ends by force. Unsuccessful attempt to engage Montjoy in the action. Renewed intrigues with the King of Scots. Preparations for surprising and overpowering the Court. Message from the Council. Sudden change in the plan of action. Message from the Queen. Treatment of the messengers. Endeavour to get help in the City. Proclamation. Fight on Ludgate Hill. The whole party surrounded in Essex House and forced to surrender at discretion 206

6. Proceedings of the Council. Investigations and ultimate discovery of the whole plot. Bacon's part 211

CHAPTER IX.

A.D. 1600–1, FEBRUARY. ÆTAT. 40.

Page
1. Arraignment of Essex. His intended defence 215
2. Opening of the case by the Queen's Counsel 216
3. Account of the MS. from which the history of the trial is taken . 217
4. Evidence of the tumult at Essex House. The Lord Chief Justice's deposition. The proceeding how justified by Essex . 218
5. Evidence of the preliminary consultations and preparations. Sir Ferdinando Gorge sent for. Unseasonable digressions . . 220
6. Pretext of personal danger: how justified. Sir Walter Ralegh's deposition 222
7. Story that the kingdom was to be sold to the Spaniard: how justified. Sir R. Cecil and Sir William Knollys . . . 223
8. Desultory and disorderly setting forth of the evidence. BACON'S FIRST SPEECH 224
9. Essex's retort and unsuccessful attempt to draw Bacon into a personal altercation 226
10. His successful reply to Coke's charge of hypocrisy in religion . 227
11. Southampton's defence. Opinion of the Judges. Coke's argument. BACON'S SECOND SPEECH. Verdict and sentence . 228
12. Errors in the management of the case by Coke, and inadequate impression on the public mind. Chamberlain's account of the trial 230

CHAPTER X.

A.D. 1601, FEBRUARY TO APRIL. ÆTAT. 40.

1. Essex's confession of his own guilt, and information against his associates: how induced and of what nature. His behaviour on the scaffold 233
2. Trial of Sir John Davis. BACON'S SPEECH 237
3. Bacon commanded to draw up a narrative of the treason for the information and satisfaction of the public. Misconception of the character of this narrative by the next generation . . 239
4. Groundlessness of the charge brought against Bacon by Mr. Jardine 242
5. The Declaration meant and believed by its authors to be a scrupulously veracious narrative 244

A DECLARATION OF THE PRACTICES AND TREASONS ATTEMPTED AND COMMITTED BY ROBERT, LATE EARL OF ESSEX, AND HIS COMPLICES, etc., 1601 245

THE EFFECT OF THE EVIDENCE GIVEN AT THE SEVERAL ARRAIGNMENTS, etc. 275

Page

Some Particularities of that which passed after the Arraignments, etc. 284
The Effect of that which passed at the Arraignments of Sir Christopher Blount, Sir Charles Davers, Sir John Davies, Sir Gillie Mericke, and Henry Cuffe . 286
The Confessions and other Evidence (with all the omitted passages restored from the original MSS.) 291
Additional Evidences, not published with the Declaration . . 325
Declaration of David Hetherington, 8th of January, 1599 . . 325
Examination of Thomas Lee, 14th of February, 1600 . . 326
Henry Cuffe to the Council, [21st] February, 1600 . . . 330
Declaration of Sir Charles Davers 333
Examination of Henry Cuffe, 2nd of March, 1600 . . . 342
Sir Henry Neville's Declaration, 2nd of March, 1600 . . 343
Examination of Henry Cuffe, 2nd of March, 1600 . . . 351
Henry Cuffe to Sir Robert Cecil 352
Examination of Sir Christopher Blunt, 7th of March, 1600 . 355
Confession of Henry, Earl of Southampton 358
Dr. Fletcher's Confession 363
Edward Temple's Letter to Westwood 364
Dr. Timothy Willis to Secretary Cecil 364
Mr. Richard Lovelace's Declaration 365

6. The one considerable error in Bacon's narrative. The substantial truth of his story confirmed by the correction of it . . . 366
7. Upon a fair review of Bacon's conduct towards Essex from first to last, no fault to be found with any part of it 367
8. Letters of doubtful date:—
Letter to Anthony Bacon 368
Marriage of Sir William Cooke to Joyce Lucy 369
Letter to Sir Thomas Lucy 369
Project of joint Masque from the four Inns of Court . . . 370
Letter to Lord Burghley (?) 370
Secretary Herbert made Secretary and Keeper of the Signet to the Council of the North. Edward Jones a candidate for the deputation 377
A Letter from Mr. Francis Bacon to the Lord President of York in favour of Mr. Johns for the Secretary's place at York 371
The letters in the Library of Queen's College, Oxford, not original draughts 372
Letter to the Lord Treasurer 372
Letter to Sir Francis Vere 373
Letter to Mr. Cawfeilde 373

ERRATA.

Page	line	for	read
1	14	1596	1595.
3	4	Meantys	Meautys.
5	note	Mardin	Murdin.
6	4	own	his own.
15	7 (up).	minds	mind.
23	note 1	*insert* 1.	
34	3 (up).	Egertion	Egerton.
44	7 (up).	your Majesty	her Majesty.
71	note, 3 (up)	Gorge's	Gorges'.
72		Ditto	Ditto.
76	7	him	him and.
79	8	these	their.
80	12	at time	at that time.
81	1	gentleman.	gentlemen.
100	22	Robert.	Richard (and insert note, "*Robert* in the Sydney papers: I presume by misprint").
109	29, 30	*dele* "and . . . copy."[1]	
109	2, 3 (up)	*read* "varies considerably from the original, but the differences," etc.	
110	20	IN	AT.
110	26	imprinted	imprinted at London.
110	26	C. Barker	Christopher Barker, Printer to the Queen's Most Excellent Majesty.
110	26	*dele* note 2.	
110	28	Ferrera	Ferrara.
111	18	*dele* "of."	
111	33	dangers	danger.
112	11	*Insert the following note*:—After "Papist," the original has a full stop and a new paragraph; which must have been an error of the press.	
112	8 (up).	*dele* "that."	
113	22	causing	caused.
113	31	did it	it did.
114	23	soundly	roundly.
115	12	*dele* note 2.	
115	28	in space	in some space.
115	34	his peril	the peril.
116	22	preservation	preservative.
116	7 (up).	come	came.
116	last line	sovereign	sovereigns.
118	2	concerned	imported.
118	5	there raised	this raised.
118	14	wreak himself	wreak themselves.
118	25	*insert note*:—The original has "it gave it;" probably by misprint.	
127	15	donations	donatives.
129	7 (up).	wandring	wandering.
139	8	person	in person.
146	note	*dele* " "	
149	20	did	did not.
232	note, 3	Miss Williams	the late Miss Williams.
		she	some one.

[1] Since the sheets were worked off, a copy of the original pamphlet has been kindly lent me to look at. The corrections which follow are made from it.

LETTERS AND LIFE OF FRANCIS BACON.

BOOK II.

CHAPTER I.

A.D. 1595–6. ÆTAT. 35.

1.

So enormous were the results which Bacon anticipated from such a renovation of Philosophy as he had conceived the possibility of, that the reluctance which he felt to devote his life to the ordinary practice of a lawyer cannot be wondered at. But it is easier to understand why he was resolved not to do that, than what other plan he had to clear himself of the difficulties which were accumulating upon him, and to obtain means of living and working. A few years after (while he was still without any official place) I find him expressing a wish to "increase his practice," in the hope of making a fortune sufficient to retire upon; and I suppose he had found on trial that to give up the "ordinary practice of the law" was a luxury he could not afford. What course he betook himself to at the crisis at which we have now arrived, I cannot positively say. I do not find any letter of his, which can be probably assigned to the winter of 1596, nor have I met among his brother's papers with anything which indicates what he was about; more than a few notes relating to the satisfaction (or more generally the dissatisfaction) of creditors. I presume however that he betook himself to his studies. One of the loose sheets which I have printed under the title of '*Formularies and Elegancies*' (Works, vol. vii. p. 208), is dated Jan. 27, 1595. About a twelvemonth after, he printed the little volume containing the *Essays* in their first shape, the '*Colours of Good and Evil*,' and the '*Meditationes Sacræ*.' The dedicatory letter to the '*Maxims of the Law*' is dated January, 1596, and several of the *opuscula* which were ultimately either incorporated

into his philosophical works, or laid by as incomplete, may have been written at this time.

2.

But there are some other compositions with which (though they do not pass under his name) there is reason to think he had something to do; and which, considering the possibility that they are entirely his work, the probability that they have at least some of his work in them, and their intrinsic value, I have determined to lay before the reader in this chapter.

I must first however explain the evidence which connects them with him; and this I cannot do better than by explaining the manner in which I became acquainted with them myself.

Among the collections of Robert Stephens and John Locker, now in the British Museum,[1] there is a catalogue of letters and other papers from, to, or otherwise connected with Bacon; copied in a transcriber's hand of the eighteenth century, apparently from an original of which some of the leaves had got transposed; for though the several letters are not set down in the order of their dates, they appear to have been distributed into classes, which classes are in the transcript mixed together. Restoring them to what seems to be their proper order, the catalogue consists of, 1st, Letters to His Majesty; 2nd, Letters to Sir Geo. Villiers, Marquis and Duke of Buckingham; 3rd, Letters to the Prince and the Queen of Bohemia; 4th, Letters to several persons; 5th, Charges, Speeches, and Papers of a mixed argument; 6th, Letters from the Duke of Buckingham to my Lord Bacon; 7th, Letters from the Queen of Bohemia to my Lord Bacon; 8th, two Letters from King James; 9th, Letters from several hands to my Lord Bacon. The catalogue is arranged in columns; setting forth, 1st, the date of each letter; 2nd, the four or five first words; 3rd, what it is about; and 4th, (in the case of the "letters to several persons") to whom addressed.

From the heading of another list in the same volume,[2] it may be inferred that Stephens supposed this catalogue to have been taken from Bacon's own register:—a conjecture (for it does not profess to be more) which the disorder of the dates makes very improbable: for we know that Bacon's register of letters was carefully prepared and formally bequeathed to trustees, with a view to publication. A

[1] Additional MSS. 4259, fo. 78.

[2] Fo. 48. "A copy of the beginning of S^r^ Fra. Bacon's Letters to K. James, from a copy [catalogue] which was transcribed [taken] from his Lordship's Reg. of Letters [as I have reason to believe, with some insertion of others]." The words within brackets are interlined in R. Stephens's hand.

more probable explanation is suggested by a fact of which Stephens was at the time probably unaware. In December, 1682, a box full of letters and original papers of Bacon's came "from the executor of the executor of Sir Thomas Meantys, who was his Lordship's executor," into the hands of Dr. Tenison: whose intention it then was "after the holidays, to methodize all, and put all the letters of the same date together—for they were then in confusion;" and when he had "looked over and sorted them," to present a catalogue of them to Archbishop Sancroft.[1] It seems however that his purpose of "sorting" these papers was never fully accomplished: for Birch tells us that when on the 23rd of February, 1749, they were delivered to Archbishop Herring and placed in the Lambeth Library, they "lay undigested in bundles." Any catalogue therefore which had been made of these papers before Stephens's death (which happened in 1736) must have been made before they were digested according to their dates. Now nothing is more probable than that Tenison, after partially sorting them, and finding it too long a labour, contented himself for the time with taking them as they came, and setting down the dates, beginnings, contents, and addresses. Such a process would produce exactly such a catalogue as we have here; and as the descriptions correspond in a large proportion of cases with papers now to be found in the Lambeth collection, it seems most probable that it is a list of the contents of the box as it came to Tenison in 1682.

Now in this catalogue (which I have been the more particular in describing, because I shall have to refer to it occasionally for evidence of the existence at that time of writings of Bacon's which are not now to be found), I find two entries which concern us at present. One occurs in the division entitled "Charges, Speeches, and Papers of a mixed argument," and runs thus:—"*Directions about what is to be observed in foreign states by those who travel.*" The other is entered in the division entitled "Letters to Sir George Villiers, Marquis and Duke of Buckingham," and runs thus:—

Date.	*Beginning.*	*Contents.*
No date.	The last I sent y^{r} Lp.	Advice for improvement in travelling.

Searching among the Lambeth papers (in the days when Dr. Maitland was Librarian) for letters corresponding to the descriptions in the catalogue, I succeeded in finding one without date, and containing "advice for improvement in travelling," and beginning with the words "My good Lo., The last I sent to your Lp. was so long,"

[1] See his letter to Chiswell, the bookseller, 16th December, and to Archbishop Sancroft, 18th December, 1682; printed in Birch's preface to vol. vi. of Bacon's Works.

etc. The part which contained the signature and superscription being torn off, and the hand being one which I did not know, there was nothing on the face of the MS. to show either that it was addressed to Buckingham or written by Bacon; but it was easy to understand how the arranger might have been betrayed into that hasty assumption; and upon the whole I could have no doubt that this was the letter described in the last of the two entries above quoted from Stephens's catalogue.

For the other, having hunted in vain among the Lambeth MSS. for a paper answering the description, and turning to seek elsewhere, I met in the Harleian MSS. (6265, p. 428) with "the Earl of Essex's advice to the Earl of Rutland in his journey." Looking into it to see what it might be (for I had not seen it before), my eye was presently caught by a sentence which seemed like the germ or first draft of a remarkable passage in the '*Advancement of Learning*.' Reading on, I found not only a style of thought and expression in many places remarkably like that which distinguishes Bacon's earlier writings of the same nature, but several observations, phrases, and entire sentences which reminded me of particular passages in his acknowledged works. Remembering also that the Lambeth letter (which was so far at least connected with Bacon that it had somehow got among his papers) began with a reference to some former communication, and observing that the terms of that reference would very well suit such a letter as this, and finding afterwards a third "letter of advice touching Travel, written by the Earl of Essex to a friend," in which it was said, "My first letter to your Lop *did contain generalities;* my second *was particular to direct you in course of study;*" (words which will be found to be perfectly applicable to the two letters in question;)—putting all these things together, I thought it a clear case for inquiry whether these letters may not have been (wholly or in part) written by Bacon. And as it is far from impossible that other evidence on the subject may exist which I have failed to discover, I have thought it best to call my readers into council and lay the whole case before them.

3.

As it stands at present, the question turns almost entirely upon considerations of style. And it must be admitted that it is one in which judgment of style is peculiarly difficult; partly because we have no undoubted specimens of the Earl of Essex's style in this kind of composition (and not many of Bacon's certainly belonging to this period of his life) with which to compare the letters in question; but

also because either of them would probably in such a case try to imitate the style of the other. The ardent and sympathetic admiration which Essex felt for Bacon, who was six years older than himself (and at five-and-twenty, which was about his age when their acquaintance began, six years seems a good deal), would naturally assimilate both his thoughts and style; and Bacon, writing in Essex's name, would naturally assume his manner, feelings, and position. If Essex wrote a letter of grave advice to a young relative going on his travels, it would no doubt have a great deal of Bacon in it: if Bacon drew up a letter for Essex to sign, it would be such a one as Essex might naturally have written. Still there is a character in language —as in handwriting—which it is hardly possible to disguise. Little tricks of thought, like tricks of the hand,—peculiarities of which the writer is unconscious,—are perceptible by the reader. And if we only had a few more specimens of Essex's didactic style, I should not despair of arriving at a clear conviction on the question.

That these letters (or at least two of them) were sent and received as from Essex himself, circulated in his name, and meant to be considered as his composition,—there is, I presume, no doubt. But we know as a fact, that both before and after he did occasionally accept Bacon's help; and perhaps there was no occasion on which he was more likely to avail himself of it than this. It was in September, 1595, that the Earl of Rutland received a "licence to pass over the seas."[1] At that time Essex was, as we have seen, on uncomfortable terms with the Queen, and the clouds did not clear away till near the middle of November. Now we know that Bacon anticipated mischief from Essex's taste for military glory and popularity, and was anxious that he should at any rate make as much show as he could of an aspiration after civil greatness and attachment to the arts of peace. And nothing could be in better accordance with the counsel which he was in the habit of giving him, than this—that he should take the occasion of his cousin's going abroad to write him a letter of advice as to the employment of his time and the improvement of his mind; nor could anything be more natural, in the relation which subsisted between them (for we have direct evidence that, a few years after, Essex would sometimes employ Bacon to draw up letters for him about his own most personal affairs,—letters which he was himself to sign), than that he should accompany such counsel with a sketch or draft of the letter which he wished the Earl to write, or that the Earl (being at the time full of many businesses) should adopt such a draft and turn it into a letter of his own. I do not mean that he would simply transcribe it. Full as he was of ideas, and able to

[1] Burghley's Diary. Mardin, p. 807.

write with as much force and facility as anybody, he would no doubt add and alter as he proceeded, under the impulses of his own teeming brain; and I could point to many passages in which the style has all the characteristic peculiarities of own. But if it should seem to others, as it does to me, that in the two first of these letters there is something of Bacon, more than might have been expected to infuse itself into any discourse by Essex on so Baconian a theme, the supposition which I have made will naturally account for it.

4.

Of the first, there are many manuscripts in existence, besides a a printed copy;[1] but I have not met with any which appears to be free from errors. I have obtained the present text by collation of three MSS. in the Harleian collection (viz. 813, fo. 7; 4888, fo. 37; and 6265, fo. 428), and the printed copy, which (though the least perfect of the four) sometimes supplies or suggests the true reading. They are all collectors' transcripts, of no special authority, and I have not thought it worth while to record the variations between them; which are very many. Neither have I attempted to make the collection of parallel passages from Bacon's acknowledged works as complete as it might be made. Those which I have printed in the notes are enough, I think, to establish a case at least of *mental relationship* between the writer and Bacon, near enough to justify the production of them here.

TO THE EARL OF RUTLAND.—LETTER I.

My Lord,

I hold it for a principle in the course of intelligence of state, not to discourage men of mean sufficiency from writing unto me, though I had at the same time very able advertisers; for either they sent me some matter which the other had omitted, or made it clearer by delivering the circumstances, or if they added nothing, yet they confirmed that which coming single I might have doubted. This rule therefore I have prescribed to others, and now give it to myself. Your Lordship hath many friends who have more leisure to think and more sufficiency to counsel than myself; yet doth my love to you dedicate these few free hours to study of you and your intended course; in which study if I find

[1] In a small 12mo volume, entitled, "Profitable Instructions, describing what special Observations are to be taken by Travellers in all Nations, States, and Countries." London, 1633.

out nothing but that which you have from others, yet I shall perhaps confirm the opinion of wiser than myself.

Your Lordship's purpose is to travel, and your study must be what use to make of your travel. The question is ordinary, and there is to it an ordinary answer; that is, your Lordship shall see the beauty of many cities, know the manners of the people of many countries, and learn the language of many nations. Some of these may serve for ornaments, and all of them for delights; but your Lordship must look further than these; for the greatest ornament is the inward beauty of the mind, and when you have known as great variety of delight as the world will afford, you will confess that the greatest delight is *sentire te indies fieri meliorem*;[1] to feel that you do every day become more worthy; therefore your Lordship's end and scope should be that which in moral philosophy we call *cultum animi*, the tilling and manuring of your own mind.[2] The gifts or excellencies of the mind are the same as those are of the body; Beauty, Health, and Strength. Beauty of the mind is showed in graceful and acceptable forms, and sweetness of behaviour; and they that have that gift cause those to whom they deny anything to go better contented away, than men of contrary disposition do them to whom they grant. Health consisteth in an unmovable constancy and a freedom from passions, which are indeed the sicknesses of the mind. Strength of mind is that active power which maketh us perform good things and great things, as well as health and even temper of mind keeps from those that are evil and base. All these three are to be sought for, though the greatest part of men have none of them; some have one and lack the other two; a few attain to have two of them and lack the third; and almost none have all.[3]

[1] "For the unlearned man knows not what it is to descend into himself, or to call himself to account, nor the pleasure of that *suavissima vita, indies sentire se fieri meliorem*."—Adv. of L., Works, iii. p. 315.

[2] *De cultura animi*.—Adv. of L., Works, iii. p. 432.

[3] "Wherein we may further note that there seemeth to be a relation or conformity between the good of the mind and the good of the body. For as we divided the good of the body into *health*, *beauty*, *strength*, and *pleasure*; so the good of the mind, inquired in rational and moral knowledges, tendeth to this, to make the mind *sound*, and without perturbation; *beautiful*, and graced with decency; and *strong* and *agile* for all duties of life. These three, as in the body, so in the mind, seldom meet, and commonly sever. For it is easy to observe that many have strength of wit and courage, but have neither health from perturbations, nor any beauty or decency in their doings; some again have an elegancy and fineness of carriage which have neither soundness of honesty nor substance of sufficiency; and some again have honest and reformed minds, that can neither become themselves nor manage business: and sometimes two of them meet, and rarely all three."—Works, iii. p. 444.

The first way to attain experience of forms or behaviour, is to make the mind itself expert. For behaviour is but a garment,[1] and it is easy to make a comely garment for a body that is itself well-proportioned, whereas a deformed body can never be so helped by tailor's art but the counterfeit will appear; and in the form of our mind it is a true rule, that a man may mend his faults with as little labour as cover them.[2]

The second way is by imitation,[3] and to that end good choice is to be made of those with whom you converse; therefore your Lordship should affect their company whom you find to be worthiest, and not partially think them most worthy whom you affect.

To attain to health of mind, we must use the same means that we do for the health of our bodies; that is, to take observation what diseases we are aptest to fall into, and to provide against them, for physic hath not more medicines against the diseases of the body, than reason hath preservatives against the passions of the mind.[4] The Stoics were of opinion that there was no way to attain to this even temper of the mind but to be senseless, and so they sold their goods to ransom themselves from their evils; but not only Divinity, our schoolmistress, doth teach us the effect of grace, but even Philosophy, her handmaid, doth condemn our want of care and industry if we do not win very much upon ourselves.[5] To prove which I will only use one instance: there is

[1] "Behaviour seemeth to me as a garment of the mind, and to have the conditions of a garment. For it ought to be made in fashion; it ought not to be too curious; it ought to be shaped so as to set forth any good making of the mind and hide any deformity," etc.—iii. p. 447.

[2] "The good parts he hath he will learn to show to the full and use them dexterously, but not much to increase them; the faults he hath he will learn how to hide and colour them, but not much to amend them: like an ill mower that mows on still and never whets his scythe: whereas with the learned man it fares otherwise, for he doth ever intermix the correction and amendment of his mind with the use and employment thereof."—iii. p. 315. Compare also the letter to Savill (vii. p. 98): "It would teach men to bend themselves to reform those imperfections in themselves, which now they seek but to cover, and to attain those virtues and good parts which now they seek but to have only in show and demonstration."

[3] "To attain good forms, it sufficeth not to despise them: for so shall a man observe them in others, and let him trust himself with the rest; for if he care to express them he shall leese their grace, which is to be natural and unaffected."—Essays (1597), vi. p. 527.

[4] "For as in medicining of the body it is in order first to know the divers complexions and constitutions, secondly the diseases, and lastly the cures; so in medicining of the mind, after knowledge of the divers characters of men's natures, it followeth in order to know the diseases and infirmities of the mind, which are no other than the perturbations and distempers of the affections."—iii. p. 437.

[5] "And if it be said that the cure of men's minds belongeth to sacred Divinity, it is most true; but yet Moral Philosophy may be preferred unto her as a wise

nothing in nature more general or more strong than the fear of death, and to a natural man there is nothing seems more impossible than to resolve against death. But both martyrs for religion, heathen for glory, some for love of their country, others for affection to one special person, have encountered death without fear, and suffered it without show of alteration;[1] and therefore, if many have conquered passion's chiefest and strongest fortress, it is lack of undertaking in him that getteth not an absolute victory.[2] To set down the ways how a man may attain to the active power mentioned in this place (I mean strength of mind), is much harder than to give rules in the other two; for behaviour or good form may be gotten by education, and health or even temper of mind by observation. But if there be not in nature some partner to this active strength, it can never be obtained by any industry; for the virtues which are proper unto it are liberality or magnificence, and fortitude or magnanimity; and some are by nature so covetous or cowardly, as it is as much in vain to seek to enlarge or inflame their minds, as to go about to plough the rocks. But where these active virtues are but budding, they must be ripened by clearness of judgment and custom of well-doing. Clearness of judgment makes men liberal, for it teacheth men to esteem of the goods of fortune not for themselves, for so they are but jailors to them, but for their use, for so they are lords over them; and it makes us to know that it is *beatius dare quam accipere*, the one being a badge of sovereignty, the other of subjection. Also it leadeth us to fortitude, for it teacheth us that we should not too much prize life which we cannot keep, nor fear death which we cannot shun; that he which dies nobly doth live for ever, and he that lives in fear doth die continually;[3] that pain and danger be great only by opinion, and that in truth nothing is fearful but fear itself;[4] that custom makes

servant and humble handmaid."—iii. p. 433. "And as to the will of man, it is that which is most maniable and obedient; as that which admitteth most medicines to cure and alter it. The most sovereign of all is Religion, which is able to transform it in the deepest and most inward inclinations and motions. And next to that is," etc.—vii. p. 100.

[1] "It is worthy the observing that there is no passion in the mind of man so weak but it mates and masters the fear of death. . . . Revenge triumphs over death; Love slights it; Honour aspireth to it," etc.—Essay on Death, vi. 379.

[2] The whole of this sentence, from "The Stoics were of opinion," is omitted in MS. 813, and also in the printed copy.

[3] The rest of this sentence, as well as all that follows "but yet," to the end of the paragraph, is omitted in MS. 813 and in the printed copy.

[4] "Nil terribile nisi ipse timor."—De Aug. Sci. vi. 3; Exempla Antithetorum, xxi.

the thing used natural as it were to the user. I shall not need to prove these two things, since we see by experience it holds true in all things, but yet those that give with judgment are not only encouraged to be liberal by the return of thankfulness from those to whom they give, but find in the very exercise of that virtue a delight to do good. And if custom be strong to confirm any one virtue more than another, it is the virtue of fortitude, for it makes us triumph over the fear which we have conquered, and anew to challenge danger which happily we have encountered, and hold more dear the reputation of honour which we have increased.

I have hitherto set down what desire or wish I would have your Lordship to take into your mind, that is to make yourself an expert man, and what are the general helps which all men may use which have the said desire; I will now move your Lordship to consider what helps your travel may give you.

First, when you see infinite variety of behaviour and manners of men, you may choose and imitate the best; when you see new delights which you never knew, and have passions stirred in you which before you never felt, you shall both know what disease your mind is aptest to fall into, and what the things are that breed the disease; when you come into armies, or places where you shall see anything of the wars (as I would wish you to see them before your return), you shall both confirm your natural courage, and be made more fit for true fortitude, which is not given to man by nature, but must grow out of discourse of reason; and lastly, in your travel you shall have great help to attain to knowledge, which is not only the excellentest thing in man, but the very excellency of man.[1]

In manners or behaviour, your Lordship must not be caught with novelty, which is pleasing to young men; nor infected with custom, which makes us keep our own ill graces, and participate of those we see every day; nor given to affection (a general fault of most of our English travellers), which is both displeasing and ridiculous.

In discovering your passions and meeting with them, give not way to yourself nor dispense with yourself in little, though resolving to conquer yourself in great; for the same stream that may be stopped with one man's hand at the spring head, may

[1] "The mind is the man, and the knowledge of the mind. A man is but what he knoweth." See above, vol. i. p. 123.

drown whole armies of men when it hath run long. In your being in the wars, think it better at the first to do a great deal too much than anything too little; for a young man's, especially a stranger's, first actions are looked upon, and reputation once gotten is easily kept, but an evil impression conceived at the first is not quickly removed.

The last thing that I am to speak of, but the first that you are to seek, is conceived knowledge. To praise knowledge, or to persuade your Lordship to the love of it, I shall not need to use many words; I will only say, that where that wants the man is void of all good; without it there can be no fortitude, for all other darings come of fury, and fury is a passion, and passions ever turn into their contraries; and therefore the most furious men, when their first blaze is spent, be commonly the most fearful; without it there can be no liberality, for giving is but want of audacity to deny, or of discretion to prize; without it there can be no justice, for giving to a man that which is his own is but chance, or want of a corrupter or seducer; without it there can be no constancy or patience, for suffering is but dulness or senselessness; without it there can be no temperance, for we shall restrain ourselves from good as well as from evil, for that they that cannot discern cannot elect or choose; nay without it there can be no true religion, all other devotion being but blind zeal, which is as strong in heresy as in truth. To reckon up all parts of knowledge, and to show the way to attain to every part, is a work too great for me at any time, and too long to discourse at this; therefore I will only speak of such knowledge as your Lordship should have desire to seek, and shall have means to compass. I forbear also to speak of divine knowledge, which must direct your faith, both because I find my own constancy insufficiency, and also because I hope your Lordship doth still nourish the seeds of religion which during your education at Cambridge were sown in you. I will only say this; as the irresolute man can never perform any action well, so he that is not resolved in soul and conscience, can never be resolute in anything else. But that civil knowledge, which will make you do well by yourself, and do good unto others, must be sought by study, by conference, and by observation. Before I persuade your Lordship to study, I must look to answer an argument drawn from the nobility of all places of the world, which now is

utterly unlearned, if it be not some very few; and an authority of an English proverb, made in despite of learning, that the greatest clerks are not the wisest men. The first I answer, that this want of learning hath been in good countries ruined by civil wars, or in states corrupted through wealth or too great length of peace. In the one sort men's wits were employed in their necessary defence, in the other drowned in the study of *artes luxuriæ*. But in all flourishing states learning hath ever flourished.[1] If it seem strange that I account no state flourishing but that which hath neither civil wars nor too long peace, I answer, that politic bodies are like our natural bodies, and must as well have some exercise to spend their humours, as to be kept from too violent or continual outrages which spend their best spirits.[2] The proverb I take to be made in that age when the nobility of England brought up their sons but as they entered their whelps, and thought them wise enough if they could chase their deer; and I answer it with another proverb made by a wise man, *Scientia non habet inimicum præter ignorantem*. All men that live are drawn either by book or example, and in books your Lordship shall find (in what course soever you propound to yourself) rules prescribed by the wisest men, and examples left by the wisest men that have lived before us. Therefore knowledge is to be sought by your private study; and opportunity you shall have to study, if you do not often remove from place to place, but stay some time and reside in the best. In the course of your study and choice of your books, you must first seek to have the grounds of learning, which are the liberal arts; for without them you shall neither gather other knowledge easily, nor make use of that you have; and then use studies of delight but sometimes for recreation, and neither drown yourself in them, nor omit those studies whereof you are to have continual use. Above all other books be conversant in the Histories, for they will best instruct you in matter moral, military, and politic, by which and in which you must ripen and settle your judgment. In your

[1] "For experience doth warrant that both in persons and in times there hath been a meeting and concurrence in learning and arms, flourishing and excelling in the same men and the same ages."—iii. p. 269.

[2] "No body can be healthful without exercise; neither natural body nor politic; and certainly to a kingdom or estate a just and honourable war is the true exercise. A civil war, indeed, is like the heat of a fever; but a foreign war is like the heat of exercise, and serveth to keep the body in health; for in a slothful peace both courages will effeminate and manners corrupt."—Essays, vii. p. 450.

study you are to seek two things: the first to conceive or understand; the second to lay up or remember; for as the philosopher saith, *discere est tanquam recordari*. To help you to conceive, you may do well in those things which you are to read to draw yourself to read with somebody that may give you help, and to that end you must either carry over with you some good general scholar,[1] or make some abode in the universities abroad, where you may hear the professors in every art. To help you to remember, you must use writing, or meditation, or both; by writing I mean making of notes and abridgments of that which you would remember. I make conference the second help to knowledge in order, though I have found it the first and greatest in profiting, and I have so placed them because he that hath not studied knows not what to doubt nor what to ask: but when the little I had learned had taught me to find out mine own emptiness, I profited more by some expert man in half a day's conference, than by myself in a month's study. To profit much by conference, you must first choose to confer with expert men, I mean expert in that which you desire to know; next with many, for expert men will be of diverse and contrary opinions, and every one will make his own probable, so as if you hear but one you shall know in all questions but one opinion; whereas by hearing many, you shall, by seeing the reasons of one, confute the reasons of the other, and be able to judge of the truth. Besides, there is no one man that is expert in all things, but every great scholar is expert in some one, so as your wit shall be whetted with conversing with many great wits, and you shall have the cream and quintessence of every one of theirs. In conference be neither superstitious, nor believing all you hear (what opinion soever you have of the man that delivereth it), nor too desirous to contradict. For of the first grows a facility to be led into all kind of error; since you shall ever think that he that knows all that you know, and somewhat more, hath infinite knowledge, because you cannot sound or measure it. Of the second grows such a carping humour, as you shall without reason censure all men, and want reason to censure yourself. I do conclude this point of conference with this advice, that your Lordship shall

[1] "That young men travel under some tutor or grave servant, I allow well; so that he be such an one that hath the language and hath been in the country before," etc.—Essay of Travel, vi. p. 417.

rather go a hundred miles out of the way to speak with a wise man, than five to see a fair town.

The third way to attain knowledge is observation, and not long life or seeing much; because, as he that rides a way often, and takes no care of marks or notes to direct him if he come the same again, or to make him know where he is if he come unto it, shall never prove a good guide; so he that lives long and sees much, but observes nothing, shall never prove a wise man. The use of observation is in noting the coherence of causes and effects, counsels and successes, and the proportion and likeness between nature and nature, force and force, action and action, state and state, time past and time present. The philosopher did think that all knowledge doth much depend on the knowledge of causes; as he said, *id demum scimus cujus causam scimus;* and therefore a private man cannot prove so great a soldier as he that commands an army, nor so great a politique as he that rules a state, because the one sees only the events and knows not the causes, the other makes the causes that govern the events. The observation of proportion or likeness between one person or one thing and another, makes nothing without example, nor nothing new: and although *exempla illustrant non probant,* examples may make things plain that are proved, but prove not themselves; yet when circumstances agree, and proportion is kept, that which is probable in one case is probable in a thousand, and that which is reason once is reason ever.

Your Lordship now seeing that the end of study, conference, and observation, is knowledge; you must know also that the true end of knowledge is clearness and strength of judgment, and not ostentation or ability to discourse; which I do the rather put your Lordship in mind of, because the most part of our noblemen and gentlemen of our time have no other use of their learning but their table-talk; and the reason is because they before setting down their journey's end ere they attain to it they rest,[1] and travel not so far as they should; but God knows they have gotten little that have only this discoursing gift; for though, like empty casks, they sound loud when a man knocks upon their outside, yet if you pierce into them you shall find them full of nothing but wind. This rule holds not only in knowledge, or

[1] There is some blunder here, of which I cannot suggest the probable correction. The meaning must be that from not observing the true end of their journey, they stop short of it.

in the virtue of knowledge, or in the virtue of prudence, but in all other virtues; that is, that we should both seek and love virtue for itself, and not for praise; for, as one said, *turpe est proco ancillam sollicitare, est autem virtutis ancilla laus:* it is a shame for him that woos the mistress to court the maid, for praise is the handmaid of virtue.

I will here break off, for I have both exceeded the convenient length of a letter, and come short of such a discourse as this subject doth deserve. Your Lordship may perhaps find in this paper many things superfluous, most things imperfect and lame; I will, as well as I can, supply that defect upon a second advertisement, if you call me to account. What confusion soever you find in my order or method, is not only my fault, whose wits are confounded with too much business, but the fault of this season, this being in written in Christmas, in which confusion and disorder hath by tradition not only been winked at but warranted. If there be but any one thing that your Lordship may make use of, I think my pain well bestowed in all; and how weak soever my counsels be, my wishes shall be as strong as any man's for your Lordship's happiness. And so I rest, your Lordship's very affectionate cousin and loving friend,

E.

Greenwich, Jan. 4.[1]

POSTSCRIPT.

My Lord,

If any curious scholar happening to see this discourse shall quarrel with my divisions of the gifts of the mind, because he findeth it not perhaps in his book, and says that health and even temper of the mind is a kind of strength, and so I have erred against the rule *membra dividenda non debent confundi,* I answer him the quality of health and strength, as I have set them down, are not only unlike but mere contrary, for the one binds in the minds and confines it, the other raises and enlarges it.[2]

An allusion to this letter by Essex's secretary, Edward Reynolds, writing on the 6th of May, 1596 (Birch's Mem. of Eliz. i. 478), coupled with the date of the Earl of Rutland's licence to travel, proves that it was written in January, 1595-6.

The next has no date, but belongs no doubt to the early part of the same year.

[1] MS. 813 (and the printed copy also) has "this 4th of Jan., 1596."

[2] This P.S. is in MS. 813, and in the printed copy, but not in the other MSS.

LETTER II.

My good Lord,

The last I sent to your Lordship was so long, as it is no more than needful to give you a breathing-time before I send another: yet for the love I bear your Lordship I cannot be silent, being desirous both to satisfy myself and others how you prosper in your travels, and how you find yourself bettered thereby either in knowledge of God or of the world: the rather because the days you have already spent abroad are now sufficient both to give you light how to fix yourself an end with counsel, and accordingly shape your course constantly unto it. Besides, it is a vulgar scandal of travellers that few return more religious than they went out; wherein both my hope and request to your Lordship is that your principal care be to hold your foundation, and to make no other use of informing yourself in the corruptions and superstitions of other nations than only thereby to engage your own heart more firmly to the truth. You live in a country of two several professions, and you shall return a novice from thence if you be not able to give an account of their ordinances, progress, and strength of each in reputation and party, and how both are supported, balanced, and managed by the state, as being the contrary humours in the strength and predominancy whereof the health or disease of the body doth consist.

These things, my Lord, you will observe, not only as an Englishman whom it may concern to know what interest his country may expect in the consciences of his neighbours; but also as a Christian to consider both the benefits and blemishes, the hopes and dangers, of the Church in all places.

Now for the world, I know it too well to persuade you to dive into the practices thereof: rather stand upon your guard against them all that tempt you thereunto, or may practise upon you in your conscience, your reputation, or your purse: resolve that no man is wise or safe but he that is honest; and let this persuasion turn your studies and observations from the compliment and impostures of this deboshed age to more real grounds of wisdom gathered out of the stories of times past, and out of the government of the present state. Your best guide to these is the knowledge of the country and people amongst whom you live. For the country, though you cannot see all places, yet if as you

pass along you shall inquire carefully, and further help yourself with books that are written of the cosmography of those parts, you shall thereby sufficiently gather the strength, riches, traffic, havens, shipping, commodities, vent, and the wants and disadvantages of all places; wherein also for your own use hereafter, and for your friends, it will be fit to note their buildings, their furnitures, their entertainments, all their husbandry and ingenious inventions in whatsoever concerneth either pleasure or profit.

For the people, your traffic among them while your learn their language will sufficiently instruct you in their abilities, dispositions, and humours, if you a little enlarge the privacy of your own nature to seek acquaintance of the best sort of strangers, and restrain your affection and participation from your own countrymen of whatsoever condition.[1]

In the story of France, you have a large and pleasant field in the lives of their kings to observe their alliances and successions, their conquests and their wars, especially with us; their counsels, their treaties, and all rules and examples of experience and wisdom; which may be lights and remembrances to you hereafter to judge all occurrences at home and abroad.

Lastly, for government, your end must not be, like an Intelligencer, to spend all your time in fishing after the present news, humours, graces, or disgraces of the Court, which happily may change before you come home: but your Lordship's better and more constant ground will be to know the consanguinities, alliances, and estates of their princes, the proportion betwixt the nobility and the magistracy, the constitution of the courts of justice, the state of their laws, as well for the making as for the execution thereof; how the sovereignty of the King infuseth itself into all acts and ordinances; how many ways they lay impositions and taxations, and gather revenues to the Crown; what be the liberties and servitudes of all degrees; what discipline and preparation for wars; what inventions for increase of traffic at home, for multiplying their commodities, encouraging arts or manufactures of worth of any kind; also what good establishments to prevent the necessities and discontentments of the people, to cut off suits at law and quarrels, to suppress thieves and all disorders.

[1] "Let him sequester himself from the company of his countrymen, and diet in such places where there is good company of the nations where he travelleth."—Essay of Travel, vi. p. 418.

To be short, because my purpose is not to bring all your observations to heads, but only by these few to let you know what manner of return your friends will expect from you; let me for these and all the rest give you this one note, which I desire you to observe as the counsel of a friend: not to spend your spirits and the precious time of your travels in a captious prejudice and censuring of all things, nor in an infectious collection of base vices of men and women and general corruption of these times, which will be of use only amongst humourists for jests and table-talk; but rather strain your wits and industry soundly to instruct yourself in all things between heaven and earth which may tend to virtue, wisdom, and honour; and which may make yourself more profitable to your country, more comfortable to your friends, and acceptable to God; and to conclude, let all these riches be treasured up, not only in your memory (where time may lessen your stock), but rather in good writings and books of account, which will keep them safe for your use hereafter. And if in this time of your liberal traffic you will give me any advertisement of your commodities in this kind, I will make you as liberal return from myself and your friends here as I shall be able. And so desiring your Lordship's pardon for this boldness, I commend your good endeavours to him that must either wither or prosper them; and so do most humbly take my leave, ever resting,

Your Lordship's in all duty to serve you.[1]

This is evidently the letter which the compiler of Stephens's Catalogue took for a letter addressed by Bacon to Buckingham; which it could not be: for when Buckingham travelled, he was Mr. George Villiers, and Bacon was not acquainted with him. It is not a copy, but apparently the original letter; for the seal remains: but the part of the last sheet which contained the signature on one side and the superscription on the other has been torn off. I have no reason to suppose that it was either written by Essex or addressed to Rutland, except that being a second letter to the same person, it comes in aptly between the last (which seems to have been a first letter), and the next, which is manifestly a third. I might have quoted almost the whole of Bacon's Essay of Travel, as containing suggestions substantially the same. But the resemblance is of that kind which may be sufficiently accounted for by the similarity of subject without supposing identity of hand. A nearer resemblance was however not to be

[1] Lambeth MSS. 936, fo. 218.

expected, even if Essex's letter was founded upon a note of Bacon's: for that essay was one of Bacon's latest compositions, when his style had discharged itself of all peculiarities which were not his own.

The next letter comes from a collection of transcripts now in the British Museum,[1] made, says the Catalogue, by some person in the service of Sir Jervis Clifton. It is headed, "A Letter of Advice touching Travel, written *to* the Earl of Essex *by* a friend." A slip of the pen, I presume: for in the transcript itself it is signed "Essex." I add it merely to complete the set: for there is nothing either in the style or substance which would lead me to suspect in it any other hand than Essex's own.

Letter III.

My Lord,

Since you have required of me some advice now at the very instant of your going, I must not refuse you, though my want of leisure and health will make that which you shall receive from me little worth.

My first letter to your Lordship did contain generalities: my second was particular to direct you in course of study, and this shall only tell you what are the notes I could wish you to gather in your travel; which being but a posting night's work after everybody is gone to bed, I desire may be private to yourself, and may serve to awake you in some things though not to instruct you in all.

When your Lordship comes into the country, I would wish you to observe the nature of the climate and the temperature of the air: for so you shall both judge of the healthfulness of the place and may have some inducement to guess at the disposition of the people: also to mark the condition of the soil, whether it be fertile or barren, mountainous or even, full of woods or champion. And to note the principal rivers, their beginnings and course, the straits and passages that do sever one province from another, and what their length and breadth is; the circuit of the diameter or length of the country; how it is peopled and inhabited; what are the commodities with which it abounds, and what it vents; and on the other side what it wants and draws to

[1] Lansdowne MSS. 238, fo. 158. The first half of the collection consists of copies of Bacon's letters, in the same hand in which the transcript of the *Essays* (Harl. MSS. 5106) is written, of which I have given an account in Appendix No. 2. See Works, Vol. VI. p. 535.

it from foreign parts; and what ports it hath, what shipping, and how their traffic lies; how their people are armed and trained; what fortified towns and castles, what enemies,[1] what arsenals, what alliance and what known enemies the state hath; for these things will lead you to know whether any country be rich or poor, strong or weak. But above all things I would have you to understand the manner of government of the place where you are; where the sovereignty is,—in one, as in a monarchy, in a few, or in the people,—or, if it be mixed, to which of these forms it inclineth. Next, what ministers of state and subordinate governors, what counsel and magistrates. Thirdly, by what law or customs it is governed. And lastly, what is the execution of justice in peace and discipline in war.

If your Lordship tell me that these things will be too many to remember, I answer I had rather you trusted your note-book than your memory. If you object that some of these things being martial, others points of state, you shall not be able to collect them or judge of them, I must ask you whether you would not get a pilot in a strange coast, and guide in an unknown way. And so if where you come you seek after these things, you shall as soon find directors to guide you to them as to any matter of sport or vanity. The fourth thing your Lordship must seek in all this course is Industry: for as great difference is between it and idleness as between an actful sprightful man and a slothful, or betwixt a living man and a dead. The fifth thing your Lordship is to take care of is to direct that industry to good things; for else the more you do the more ill you do, and [the further you go] the further you go out of the way. The last is that you rather be endeavouring to do well, than believing you do well: for besides that all self-conceited young men do grow infinitely lame, when once out of opinion that they are wise and good enough they hold themselves pleased with themselves, they fall more backward in a month than they get forward in a year.

This was written yesternight, etc.

Your Lordship's affectionate Cousin,

ESSEX.

5.

In the last chapter I quoted the "Device made by the Earl of

[1] So in MS.

Essex for the entertainment of her Majesty," as a piece of evidence bearing materially upon the question which I was about to raise. If it be certain that that was his own composition, it is hardly possible, I think, in any similar case, to decide by the style whether he or Bacon were the writer. There is another paper which I must produce for the same reason, as bearing even more materially on the same question: a paper on a different subject and in a different style; but so very Baconian in matter and manner, that I see no reason why every word of it (the opening and closing paragraphs excepted) might not have been written by Bacon himself in his own person. Unluckily, instead of settling the last question, it only raises a fresh one: for what evidence we have as to the authorship proves at most only that Essex was the reputed author of it, and leaves the secret history of it (if it had any) entirely unexplained. The occasion seems to have been one not unlike that we have just discussed. It is a letter of advice addressed to Fulke Greville (date unfortunately not known) all about books and studies: such a letter as Bacon would undoubtedly at this time have wished Essex to write and the Queen to know he had written For the rest, I must leave it to speak for itself; for all I know is that I found it in the Bodleian Library, among the papers of Archbishop Sancroft: a manuscript in the hand of some person whom he seems to have employed; lying among copies (some in the same hand and some in the Archbishop's own) of papers by or relating to the Earl of Essex, annexed to an account of his trial; but with nothing to indicate whence it came. But as I believe it has never been printed, even those who totally reject its claims to be considered as one of Bacon's occasional works, will not the less be glad to have the opportunity of reading it. Nor can it even on that supposition be regarded as altogether irrelevant to Bacon himself: for if he had no hand in it, it cannot but suggest a doubt whether, even as a thinker and a writer, he did not owe to Essex more than has been suspected.

Robert, Earl of Essex, to Sir Foulke Greville.[1]

Cousin Foulke,

You tell me that you are going to Cambridge, and that the ends of your going are to get a scholar to your liking to live with you, and two or three others to remain in the University and gather for you; and you require my opinion what instruction you shall give these gatherers. To which I yield more out

[1] Tanner MSS. vol. 76, fo. 82.

of affection for your satisfaction to do what I can, than out of confidence that I can do anything; and though you get nothing else by this idle discourse, yet you shall learn this, that if you will have your friend perform what you require, you must require nothing above his strength.

He that shall out of his own reading gather for the use of another, must (as I think) do it by Epitome or Abridgment, or under Heads and Commonplaces. Epitomes also may be of two sorts; of any one art or part of knowledge out of many books, or of one book by itself. Of the first kind we have many patterns: as for Civil Law, Justinian; Littleton for our own; Ramus, Logic; Valerius, Physics;[1] Lipsius, Politics;[2] and Machiavell's art of War. Some in every kind, and divers in some one. In matters of story I will not cite Carion, Functius, Melanethon,[3] nor the new French Bibliothèque historian;[4] because they are rather calendars to direct a man to stories than abridgments of story. But the reading of the best of these (and these be the best we have) will no more make a man a good Civilian, Common Lawyer, Logician, Naturalist, Politician, nor Soldier, than the seeing of the names of London, Bristol, York, Lincoln, and some few other places of note, in a Mercator's general map will make a stranger understand the cosmography of England.[5]

And if the works of so excellent men be so fruitless, what shall their abridgments be? who can give us no great proportion of knowledge if they gave us all they understand themselves. I do not deny but he that hath such abridgments of all arts shall have a general notion of all kinds of knowledge. But he shall be like a man of many trades, that thrives less than he that seriously follows one. For it is Seneca's rule, *multum non multa*.

It may be objected that knowledge is so infinite, and [to read]

[1] Physicæ, seu de Naturæ Philosophia Institutio perspicue et breviter explicata à Cornelio Valerio Ultrajectino, publico linguæ Latinæ, in collegio trilingui Busliano, professore. Antverpiæ, ex officina Christophori Plantini, Architypographi Regii. MDLXXIIII.

[2] Politica sive Civiles Doctrinæ, cum notis. Lugd. Bat. 1589.

[3] Carion (Joh.), Chronicorum libellus, 8°, Par. 1543.—Chronicon Carionis expositum et auctum à Ph. Melancthone et Casp. Pencero. 16°, Par. 1544.—Funccius (Joh.) Chronologia cum Commentariis. 4°, Bas. 1554.

[4] Pierre Pithou was the first (according to the editor of the 'Bibliothèque Historique de la France,' 1768), who conceived the idea of publishing in one body some of the old annalists who had written the history of their own times. His collection, under the title 'Annalium et Historiæ Francorum, ab anno Christi DCCVIII ad ann. DCCCCXC, scriptores coætanei XII,' appeared in 1588, and a continuation of it in 1596.

[5] Compare "Advancement of Learning,' Works, iii. pp. 154–5.

the writers of every sort of it so tedious, as it is reason to allow a man all helps to go the shortest and nearest way. But they that only study abridgments, like men that would visit all places, pass through every place in such post as they have no time to observe as they go or make profit of their travel. The Epitome of every book is but a short narrative of that which the book itself doth discourse at large; where commonly in matter of art the positions are set down without their proofs, and in matter of story the things done without the counsels and circumstances, which indeed are of a thousand times more use than the examples themselves. Such abridgments make us know the places where great battles have been fought, and the names of the conquerors and conquered, and will minister arguments of discourse, but cannot breed soundness of judgment, which is the true use of all learning. As for example: Let him that never read Livy tell me what he is the wiser for Florus's Epitome; or he that never studied the Mathematics, what he would learn of a table of Euclid's definitions and divisions, or (if you will) axioms also, without seeing the demonstrations that must lead him to conceive them. So as I think Epitomes of the one or other kind of themselves of little profit.[1]

It may be thought the slowness of mine own conceit in this point corrupts my judgment. But surely I do not measure all men by myself; for the wants I have shall make me more honour great gifts in them. I confess excellent wits will make use of every little thing. But yet against all slothful students I learn this rule out of Livy: *Nunquam nec opera sine emolumento, nec emolumentum sine impensâ operâ est. Labor voluptasque, dissimilia naturâ, societate quâdem naturali inter se conjuncta sunt.*

I hold collections under heads and commonplaces of far more profit and use;[2] because they have in them a kind of observation, without the which neither long life breeds experience, nor great reading great knowledge. For *id demum scimus cujus causam scimus.* As for example: He that will out of Curtius or Plutarch make an epitome of the life of Alexander, considers but

[1] As for the corruptions and moths of history, which are Epitomes, the use of them deserveth to be banished," etc.—Adv. of L. Works, iii. 334.

[2] "I cannot likewise be ignorant of a form of writing which some great and wise men have used, containing a scattered history of those actions which they have thought worthy of memory, with politic discourse and observation thereupon," etc. —Adv. of L. Works, iii. 339.

the number of years he lived, the names of places he conquered, the humours and affections he had, and the variety of accidents he met withal in the course of his life. But he that will draw notes out of his life under heads will show, under the title of a Conqueror, That to begin in the strength and flower of his age; to have a way made to greatness by his father; to find an army disciplined, and a council of great captains; and to procure himself to be made head of a league against a common enemy, whereby both his quarrel may be made popular and his assistance great; are necessary helps to great conquests:—Under the title of War, That the invader hath ever the advantage of the invaded; for he comes resolved, strikes terror, hath all if he win, and if he lose, loseth but his hopes; that it is not the number of soldiers, so much as the goodness of them and the conduct of the leaders, that is cause of victory; and that before any man make foreign wars, he must (according to Alexander's example) be sure to settle all near home:—Under the title of Periods or Revolutions of States, That the uncertainty of succession, the equal greatness of divers grandees, and the overmuch (if I may so speak) unwieldiness of a state, are sufficient causes to ruin the greatest monarchy. The last may seem somewhat strange; but as I conceive it to be a true cause of the dissipation or loss of the Grecian monarchy, so sure it was of the Roman: which made Livy in his time, foreseeing the fall of it, say of that commonwealth, *Quod ab exiguis profecta initiis eo creverit ut jam magnitudine laboret suâ.* And in another place, *Tempora quibus prævalentis populi vires se ipsæ conficiant.* I name these few heads only to show the difference between these kinds of collections; which I think is soon discerned.

But though I prefer the second kind of collections before the first, yet neither is that anything, if these three circumstances be not observed: Choice to be made of the heads under which all things are reduced; of the books out of which they are to be taken; and above all things of the notes themselves that shall be set down. For the first, you will say your abridgers shall follow patterns; for the second, that they may read the books that are in reputation in the university; for the third, you will trust their judgment. But I answer, the patterns they shall find either are made by young students like themselves, or by common bookmakers that follow an alphabet, and fill the index with many idle

heads,[1] enough to make him that shall follow their pattern to fill his paper-book as full of idle notes.[2] Therefore special advice I would wish him to take that shall make heads, and to make far fewer than he shall find in any pattern.

The judgment of the university I do infinitely reverence. But the general reputation of books (I think) will little direct them. My reasons are that all or most of grounded judgment do only follow one of the three professions, Divinity, Law, or Physic; and are strangers to the books your abridgers should read, because they despise them; and other young students are better satisfied with a flowing easy style then with excellent matter in harsh words. Of the choice (because you mean only study of humanity) I think story of most, and I had almost said of only use. For poets, I can commend none, being resolved to be ever a stranger to them. Of orators, if I must choose you any, it shall be Demosthenes, both for the argument he handles, and for that his eloquence is more proper for a statesman than Cicero's. Of all stories, I think Tacitus simply the best; Livy very good; Thucydides above any of the writers of Greek matters; and the worst of these, and divers others of the ancients, to be preferred before the best of our moderns.

The third and the hardest point is the choice of the notes themselves; which must be natural, moral, politic, or military. Of the two first, your gatherers may have good judgment, but you shall have little use: of the two latter, your use is greatest, and their judgment least. I doubt not but in the university you shall find choice of many excellent wits; and in things wherein they have waded, many of good understanding. But they that have the best eyes are not always the best lapidaries, and according to the proverb, the greatest clerks are not always the wisest men. A mere scholar, in state or military matters, will no more satisfy you than Phormio did Hannibal.[3] Therefore to speak plainly of the gathering of heads or commonplaces, I think first in general that one man's notes will little profit another, because

[1] "But this is true, that of the *methods of Commonplaces* that I have seen, there is none of any sufficient worth, all of them carrying merely the face of a *school* and not of a *world*, and referring to vulgar matters and pedantical divisions,—without all life or respect to action."—Adv. of L. Works, iii. 398.

[2] *mocks* in MS.

[3] "The writing of speculative men of active matter for the most part doth seem to men of experience as Phormio's argument of the wars seemed to Hannibal, to be but dreams and dotage."—Adv. of L. Works, iii. 429.

one man's conceit doth so much differ from another's; and also because the bare note itself is nothing so much worth as the suggestion it gives the reader. Next I think no profit is gotten of his notes that is not judicious in that whereof he makes his notes.

But you will say I exceed my commission; for instead of advice I do dehort. I do confess I would have you gather the chiefest things and out of the chiefest books yourself, and to use your other collectors in gathering arguments and examples to prove or illustrate any particular position or question. For they should like labourers bring stone, timber, mortar, and other necessaries to your building. But you should put them together and be the master-workman yourself; and instruction is easilier given and will be better followed in one point than in many.

As I began, so I must end; assuring you that I have no end but your satisfaction, no not of thanks from you; for you cannot be so much pleased with seeing a proof of the credit you have with me, as you will be distasted with the insufficiency of that you sought to be satisfied in. Make you this private to conceal my weakness, and I will by many better trials than this publish to the world that affection with which it is undertaken.

Your affectionate cousin and assured friend,

E.

CHAPTER II.

A.D. 1596. ÆTAT. 36.

1.

To decide upon the merits of disputes between borrower and lender from such casual evidence as this kind of correspondence discloses, would be a hopeless task. Where the necessity is urgent, the transaction seldom passes without misunderstandings and complaints on both sides; and to judge which has most reason, one must hear both parties. But though the point of equity must be left undetermined, there need be no doubt about the fact; and the necessity of borrowing upon such terms as can be got, is a condition too important to be left out of sight in any attempt to follow and interpret the actions of the borrower. The letter which comes next in order affords only a glimpse, but it comes in conveniently to remind us of Bacon's real position at this juncture. Among the many disadvantages of the delusive hopes of speedy preferment which he had been so long encouraged to entertain, one was—and it was not the least, but (rightly understood) perhaps the greatest of all—that it had made borrowing easier than it would otherwise have been; for the same disappointment which made repayment difficult, made the lenders more anxious to be repaid. To satisfy some of these demands, it seems that he had been forced to borrow £1000 upon the security of lands worth not more than £1700. And now that the time of redemption was at hand, he was forced to sell the land in order to save the difference. A bargain had been concluded for this purpose with "a man in the City:" but afterwards, within little more than a week of the redemption-day, a doubt arose or a difficulty was made about the assurance. In this exigency he applied to his friends Maynard and Hickes (joint secretaries to Burghley) for help; with what success we do not know; further than that no record remains of dissatisfaction, that Hickes continued for many years afterwards to be a resource to him in similar difficulties, and that the tone of the letters which relate to such transactions between them is always very friendly and cordial.

I conclude therefore that if they lent him the money, the loan did not in this case lose either itself or friend.

Mr. Maynard and Mr. Hickes,[1]

I build somewhat upon the conceit I have of your good wills, which maketh me direct my request to you in so pressing an occasion as is fallen unto me by the strange slipping and incertain or cunning dealing of a man in the City, who having concluded a bargain with me for certain marsh lands now in mortgage for a thousand pounds, and standing to be redeemed the four-and-twentieth of this present, which is but twelve days hence, and being to give me sixteen hundreth and odd pounds for the sale, doth now, upon a point as clear as any case in Littleton, and wherein Mr. Attorney-General, Mr. Brograve, Mr. Heskett, Mr. Gerard, Mr. Altham, and all I can speak with, make no manner of doubt, quarrel upon the assurance, and so in this time of difficulty for money provisions and in so instant a quantity of time as twelve days, plunge me to seek my redemption-money or to forfeit my land to seven hundreth pound loss and more. This maketh me desire the help of two so good friends as I esteem yourselves to be, the rather because the collateral pawn which I would offer, which is the assurance of my lease of Twicknam, being a thing which will pass with easy and short assurance, and is every way clear and unsubject to incumbrance, (because it is my pleasure and my dwelling) I would not offer but to a private friend. Upon which assurance my desire is that upon your joint means or credit I mought be furnished at my day, and if either of you like the bargain of my marsh lands,[2] you shall have the refusal, and I shall think you true and timely friends. So in great haste I bid you both farewell. From my chamber, this 12th of March, 1595.

Your friend, loving and assured,

FR. BACON.

2.

It was at this time that the Earl of Essex took a leading part in the memorable expedition against Spain, which issued in the taking of

[1] Lansd. MSS. lxxx. fo. 176. Original: own hand. Addressed, "To the r. w. his very loving friends, M^r He: Maynard and M^r Mich: Hickes, be these deld."

[2] Probably certain marsh lands at Woolwich, upon the sale of which he paid Mr. Trott £300, as will be seen hereafter.

Cadiz and the destruction of the fleet stationed there;—a leading part not only in the action, but in the counsels which led to it. It would have been very interesting to know what Bacon thought of that enterprise when it was in project; but I have not met with any letter or other writing of his in which his opinion is stated: except so much of it as may be inferred from an expression in a letter of advice addressed to Essex some months after it was over; an expression which seems to imply that he had been, if not against the expedition itself, at least against the course which Essex had taken in regard to it. "And here, my Lord" (he writes), "I pray mistake me not.... I am infinitely glad of this last journey, *now it is past:* the rather because you make so honourable a full point for a time."

The project of an attack upon the coasts and fleet of Spain had been agitated in the winter, when fears were entertained of a new Spanish invasion; and Burghley is supposed to have been against it. It is not improbable that Bacon shared his apprehensions at that time: and there were reasons, no doubt, independent of the policy of the expedition itself, for the friends of Essex to be anxious as to the result. Though he had qualities which made him very popular as a leader, and showed a gallant spirit in particular actions, I cannot think that he was a fit man to conduct military enterprises on a large scale. His plans and hopes were large and his self-confidence great, and where these meet there is always an imposing tale for those who cannot compare the means with the ends: but his judgment was no match for his imagination, and his strength of will was shown rather in overruling the reasons of those who differed from him than in patiently examining and steadily pursuing his own designs. In cases where his propositions were overruled by his colleagues, it may always be said that if they had been adopted they would have succeeded: but it cannot be affirmed that the actions in which he had the sole direction were the most successful, or most deserved success. It would even seem that though he pulled so hard against the rein, yet when his head was given him he did not always know which way to go. Impatient of authority and oppugnant to advice, he was ill fitted to act either under a superior or with colleagues. Placed so early in high command, he had had no schooling in his profession;—he had never been obliged, against his own judgment, to follow the course prescribed by maturer experience, and so to see the effect fairly tried; nor had he had opportunities enough of observing the consequences of his own mistakes. So that unless nature had given him some peculiar genius not only for leading soldiers, but for managing the movements of armies, he could hardly be considered a match for such a power as Spain under such a king as Philip II.

The capture of Calais by the Archduke of Austria, in April, hurried the deliberations to a close, and an offensive movement was resolved on; the command in chief of the land forces being confided to Essex; and when Bacon's next letter was written the enterprise was on foot, and all that could be done was to wish it success. The tone in which the wish is expressed seems to me to betray a latent anxiety; but the immediate business of the letter had no reference to the expedition.

3.

On the 30th of April, 1596, the Lord Keeper Puckering died suddenly of apoplexy:[1] an event of importance to Bacon, because it made a vacancy in the line of his own advancement. Egerton, then Master of the Rolls, was made Lord Keeper at once. And on the 10th of May, Bacon wrote to Essex, who was then at Plymouth, the following letter.

To the Earl of Essex.

My singular good Lord,[2]

I have no other argument to write on to your good Lordship, but upon demonstration of my deepest and most bounden duty, in fullness whereof I mourn for your Lordship's absence, though I mitigate it as much as I can with the hope of your happy success, the greatest part whereof (be it never so great) will be the safety of your most honourable person; for the which in first place, and then for the prosperity of your enterprises, I fervently pray. And as in so great discomfort it hath pleased God some ways to regard my desolateness, by raising me so great and so worthy a friend in your absence, as the new-placed Lord Keeper; in whose placing as it hath pleased God to establish mightily one of the chief pillars of this estate, that is, the justice of the land, which began to shake and sink; and for that purpose no doubt gave her Majesty strength of heart of herself to do that in six days which the deepest judgments thought would be the work of many months; so for my particular, I do find in an extraordinary manner that his Lordship doth succeed my father almost in his fatherly care of me and love towards me, as much as he professeth to follow him in his honourable and sound courses of justice and estate; of which so special favour the open

[1] Birch's Memorials, i. 481.

[2] Lambeth MSS. 657. 43. Copy: docketed, "De Monsr Fra. Bacon a Monsr le Compte d'Essex, le 10me de May, 1596."

and apparent reason I can ascribe to nothing more than to the impression which, upon many conferences of long time used between his Lordship and me, he may have received both of your Lordship's high love and good opinion towards his Lordship, verified in many and singular offices, whereof now the realm rather than himself is like to reap the fruit; and also of your singular affection towards me, as a man chosen by you to set forth the excellency of your nature and mind, though with some error of your judgment. Hereof [if] it may please your Lordship to take knowledge to my Lord, according to the style of your wonted kindness, your Lordship shall do me great contentment. My Lord told me he had written to your Lordship, and wished with great affection he had been so lucky as to have had two hours' talk with you upon those occasions which since have fallen out. So wishing that God may conduct you by the hand pace by pace, I commend you and your actions to his divine good preservation.

Your Lordship's ever deepliest bounden,

Fr. Bacon.

This letter was forwarded to the Earl by Anthony Bacon in another from himself; drawing his attention more particularly to the vacancy in the Rolls made by the advancement of Egerton; for which place "by plurality at Court and generality elsewhere" his brother had been named: and suggesting that he should write a few lines in his favour to the new Lord Keeper and to Sir John Fortescue, Chancellor of the Exchequer; and perhaps some "general recommendation by the way" to the Queen, though "without any particular designment:" and adding a special caution *not* to say anything about it to Burghley or Cecil. Francis, it seems, had had enough of suitorship, and would not "enter into the list of competition;"[1] though Egerton himself was favourable,[2] and though he appears to have been now again on gracious terms with the Queen,[3] and continued to be employed in the business of the learned Counsel.[4] He was at this time endeavouring by the help of Sir John Fortescue to bring his brother's services under the favourable notice of her Majesty: and while these letters of the 10th of May were on their way to the fleet, he sent him the following report.

[1] Birch, i. 482. [2] See letter to Egerton, further on. [3] Birch, i. 468.
[4] Examination of Randall, 3rd May, 1596. S.P.O. On the 14th of July I find him described in a Patent Roll as "unum de Consilio nostro erudito in lege."—See Dixon's Personal History, p. 357.

My very good Brother,[1]

I have remembered your salutations to Sir Jh. Fortescue, and delivered him the Gazetta, desiring him to reserve it to read in his barge. He acknowledged it to be of another sort than the common. I delivered him also so much of Dr. Hawkins'[2] letter as contained advertisements copied out, which is the reason I return the letter to you now, the Gazetta being gone with him to the Court. The refiner's conclusion I have not acquainted him with, meaning to keep it for some apt time. So in haste I wish you comfort of Twicknam ague this 15th of May, 1596.

Your entire loving brother,

FR. BACON.

A few days after, he wrote again:—

My very good Brother,[3]

I send you the Gazetta returned from Sir Jh. Fortescue with his loving commendations. There is a commission for the Rolls, *sed nihil ad nos*. I hear nothing from my Lord of Essex. Aluvarez' matter in the Chancery, as I could perceive by my Lord Keeper, receiveth course of arbitrement, wherein my Lord joined strangers with English, and ordered it as I imagine to the parties' reasonable contentment, though he were crossed with a verdict at common law. My chief sending is to know how you do, as you may see by the rest of the stuff of my letter. I observe your intention of privateness, else had I visited you. So I commend you to God's good preservation this Ascension day.

Your entire loving brother,

FR. BACON.

The "Commission for the Rolls" here mentioned was no doubt "a Commission to Justices Clench, Gawdy, Beaumont, and Owen, and certain others Masters of the Chancery, to hear the causes in the ab-

[1] Lambeth MSS. 657. 30. Original: own hand. Docketed, "De Monsr Francois Bacon, le mois de May, 1596."

[2] Dr. Hawkyns was an intelligencer employed in the Earl's service at Venice, and had sent news of important movements, or indications of movements, on that side of Europe. The "Gazetta" is described by Birch as "the written Italian gazette," —a narrative, I presume, enclosed in Dr. Hawkyns's letter.

Lambeth MSS. 657. 109. Original: own hand. Addressed, "To the r. w. my very good brother, Mr Anth. Bacon, at Twycknam Park." Docketed, "De Monsr François Bacon, mois de June, 1596:" a mistake: Ascension day in 1596 fell on the 20th of May.

sence of the Lord Keeper, until a Master of the Rolls be appointed;" which, as we learn from Burghley's diary, was issued on the 15th of May, 1596.[1]

What "Aluvarez' matter in the Chancery" was, I do not know; but I presume from Bacon's apology for the stuff of his letter, that it was not a matter of importance.

In the meantime the Earl of Essex, though Bacon had not yet received any answer to his letter of the 10th of May, had not forgotten his friend's business. While Anthony Bacon was still at Twickenham, Captain Garrett arrived one evening at Gray's Inn with a packet for him, which Francis opened and forwarded, with the following letter,—undated and in the docket dated incorrectly—but written sometime between the 20th and 30th of May.

My very good Brother,[2]

I received yesternight by Captain Garrett this packet, directed as you may perceive to yourself. But because I discerned it was but a case, and knew the occasion of the dispatch, loath to make two labours of one, I opened it, and found this letter to you which I send unbroken as reason was (together with your former letter), a letter to myself which I send opened, and these other three letters unsealed. You may perceive my Lord's good affection and care, being surcharged with business to write and write so many letters. His Lordship's discretion also in writing in general terms to my Lord Keeper I do not dislike. I suppose there is some seal for the like occasions remaining with Mr. Reynolds, for to make up these letters. My desire is the letter to my Lord Keeper should simply be delivered by one of your men. The letter to Sir J. Foscue, accompanied with some few words of your own taking knowledge of the contents, and that it is a thing carried wholly without my knowledge between my Lord and yourself. The letter to my Lord Buckhurst would be stayed and kept by us, to the end if need be I may take occasion to show his Lordship what my Lord intended and what I detained, if the matter grow to any life. For before to acquaint his Lordship with it being made as I imagine I think it not safe. I thank you for your last letter, and am sorry of this renewal of the stone. But

[1] Murdin, p. 809.

[2] Lambeth MSS. 657. 107. Original: own hand. Addressed, "To the r. w. his very loving brother, M^r Anthony Bacon, at Twicknam Park." Docketed, "De Mons^r Francois Bacon, le mois de Juin, 1596."

of the two, better recourse of pain than intermission to breed peril. God keep you.

Your entire loving brother,

FR. BACON.

The letters contained in the Earl's packet have been printed in Birch's 'Memoirs of Queen Elizabeth,' and, as they are short, I cannot better complete the story than by reprinting them as they stand.

TO ANTHONY BACON.

Sir,

I send you three letters, to my Lord Keeper, my Lord of Buckhurst, and my cousin Fortescue. They are all open because you may read them; and when you have done with them, Reynolds shall both seal and deliver them. If you knew what a purgatory it were to govern this unwieldy body, and to keep these sharp humours from distempering the whole body, you would rather free me from writing than challenge my short writing. I wish to you as to myself, and rest for ever

Your true friend,

ESSEX.

TO THE LORD KEEPER.

My very good Lord,

I do understand by my very good friend Mr. Francis Bacon how much he is bound to your Lordship for your favour. I do send your Lordship my best thanks, and do protest unto you that there is no gentleman in England of whose good fortune I have been more desirous. I do still retain the same mind; but because my intercession hath rather hurt him than done him good, I dare not move the Queen for him. To your Lordship I earnestly commend the care I have of his advancement; for his parts were never destined for a private and (if I may so speak) an idle life. That life I call idle, which is not spent in public business: for otherwise he will ever give himself worthy tasks. Your Lordship in performing what I desire shall oblige us both, and within very short time see such fruit of your own work as will please you well. And so commending your Lordship to God's best protection, I rest at your Lordship's commandment.

17th of May, 1596.

TO THE LORD BUCKHURST.

My Lord,

By the advancement of Sir Thomas Egertion to the place of Lord Keeper (in which choice I think my country very happy) there is void the office of Master of the Rolls. I do both for private and public respects

wish Mr. Francis Bacon to it before all men, and should think much done for her Majesty's service if he were so placed as his virtues might be active, which now lie as it were buried. What success I have had in commending him to her Majesty your Lordship knows. I would not for the second time hurt him with my care and kindness; but I will commend unto your Lordship his cause, not as his alone, nor as mine his friend's, but as a public cause, wherein your Lordship shall have honour, and the world satisfaction to see worthy fruits of your own work, and exceeding thankfulness from us both: and so I rest

Your Lordship's cousin and friend most affectionate and assured.

To Sir John Fortescue.

Cousin,

I do now commend unto you both present actions and absent friends; I mean those who are absent from me, so as I neither can defend them from wrong nor help to that right their virtue deserves. And because one occasion offers itself before the rest, I will commend unto you one above the rest. The place is the Mastership of the Rolls, the man Mr. Francis Bacon, a kind and worthy friend to us both. If your labour in it prevail, I will owe it to you as a particular debt, though you may challenge it as a debt of the state. And so, wishing you all happiness, I rest

Your Lordship's cousin and friend affectionate and assured.

The Earl's letter to Bacon himself is interesting as giving some little indication of the intellectual sympathy which formed one of the bonds between them. We have no detailed account of any of their conversations. But in the first sentences of this letter,—as in the letters of advice quoted in the last chapter (supposing them to be the Earl's own composition),—I fancy that I see the reflexion of thoughts which would be naturally suggested and excited in talking with Bacon upon such subjects.

Sir,[1]

I have thought the contemplation of the art military harder than the execution. But now I see, where the number is great, compounded of sea and land forces, the most tyrones and almost all voluntaries, the second officers equal almost in age, quality, and standing in the wars, it is hard for any man to approve himself a good commander. So great is my zeal to omit nothing and so short my sufficiency to perform all, as, besides my charge, myself doth afflict myself. For I cannot follow the precedents of our dissolute armies, and my helpers are a little amazed with me, when they are come from governing a little troop to a great, and from ....[2] to all the greatest spirits of our state. And sometimes I am as much trou-

[1] Lambeth MSS. 657. 139.

[2] I cannot make out these words.

bled with them as with all the troops. But though these be warrants for my seldom writing, yet they shall be no excuses for my fainting industry. I have written to my Lord Keeper and some other friends to have care of you in my absence. And so, commending you to God's happy and heavenly protection, I rest

Your true friend,

ESSEX.

Plymouth, this 17th of May.

The next letter, which comes from the supplementary collection in the 'Resuscitatio' and is without date, is obviously the answer to this, and must have been written after the 20th of May, and probably before the 30th.

TO MY LORD OF ESSEX.[1]

Most honourable, and my singular good Lord,

I cannot but importune your Lordship with thanks for your Lordship's remembering my name to my Lord Keeper; which being done in such an article of time, could not but be exceedingly enriched both in demonstration and effect; which I did well discern by the manner of expressing thereof by his Lordship again to me. This accumulating of your Lordship's favours upon me hitherto worketh only this effect; that it raiseth my mind to aspire to be found worthy of them, and likewise to merit and serve you for them. But whether I shall be able to pay my vows or no, I must leave that to God, who hath them *in deposito;* whom also I most instantly beseech to give you fruit of your actions, beyond that your heart can propound. *Nam Deus major est corde.* Even to the environing of his benedictions I recommend your Lordship.

On the 29th of May, Sir John Fortescue showed Anthony Bacon's foreign intelligence to the Queen, and the next day Francis sent his brother the following report:—

Good Brother,[2]

Yesternight Sir Jh. Foscue told me he had not many hours before imparted to the Queen your advertisements, and the Gazetta likewise, which the Queen caused Mr. Jh. Stanhope to read all over unto her, and her Majesty conceiveth they be not vulgar.

[1] Resuscitatio, Supplement, p. 91.

[2] Lambeth MSS. 657. 29. Original: own hand. Docketed, "De Monsr Fras Bacon, le 31me de May, 1596."

The advertisements her Majesty made estimation of as concurring with other advertisements, and belike concurring also with her opinion of the affairs. So he willed me to return you the Queen's thanks. Other particular of any speech from her Majesty of yourself he did not relate to me.

For my Lord of Essex and your letters, he said he was ready and desirous to do his best. But I seemed to make it but a love-wish, and passed presently from it, the rather because it was late in the night, and I mean to deal with him at some better leisure after another manner, as you shall hereafter understand from me. I do find in the speech of some ladies and the very face of this Court some addition of reputation, as methinks, to us both, and I doubt not but God hath an operation in it that will not suffer good endeavours to perish. The Queen saluted me to-day as she went to chapel. I had long speech with Sir Robert Cecil this morning, who seemed apt to discourse with me, yet of yourself *ne verbum quidem*, not so much as a *quomodo valet*. This I write to you in haste, *aliud ex alio;* I pray set in a course of acquainting my Lord Keeper what passeth at first by me, after from yourself. I am more and more bound to him. Thus wishing you good health, I commend you to God's happy preservation. From the Court, this 30th of May.

Your entire loving brother,

F. Bacon.

4.

The manuscript volume in the Library of Queen's College, Oxford, which I have mentioned as containing copies of most of the letters in Rawley's supplementary collection,[1] contains also one or two which are not there. One of these is headed "Mr. Francis Bacon to Mr. Robert Cecil," and being addressed to some young man on his travels, apparently in Italy, has been supposed to be of very early date. But as I cannot find that *Robert* Cecil ever made a travelling tour, it seems that there is some mistake: a perception of which may have induced Rawley to omit the letter from his collection. I find however from Burghley's diary (Murdin, p. 805) that in September, 1594, a licence was granted "for Richard and Edward Cecyll, Sir Thomas Cecyll's sons, to travel

[1] See Works, vol. vii. p. 69. It probably once contained all; but some leaves have been lost at the beginning.

abroad for the space of three years;" and the letter in question may very well have been addressed to one of them. "Mr. R. Cecyll" or "Mr. Rich. Cecyll" would easily be altered into "Mr. Robert Cecyll" by a collector or transcriber to whom that name was more familiar and the difficulty not apparent. If so, no date seems more probable than the early part of June, 1596, when the fleet was on its way to Cadiz.

Sir Thomas Cecil was Burghley's eldest son by his first wife: not related to Bacon therefore by blood. The letter seems to be an answer to one received from one of the young men, written, I should think, in Italian.

Sir,[1]

I am very glad that the good affection and friendship which conversation and familiarity did knit between us, is not by absence and intermission of society discontinued; which assureth me it had a further root than ordinary acquaintance. The signification whereof, as it is very welcome to me, so it maketh me wish that if you have accomplished yourself as well in the points of virtue and experience which you sought by your travel as you have won the perfection of the Italian tongue, I might have the contentment to see you again in England, that we may renew the fruit of our mutual good will; which, I may truly affirm, is on my part much increased towards you, both by your own demonstration of kind remembrance, and because I discern the like affection in your honourable and nearest friends.

Our news are all but in seed; for our navy is set forth with happy winds, in token of happy adventures, so as we do but expect and pray, as the husbandman when his corn is in the ground.

Thus commending me to your love, I commend you to God's preservation.

5.

The promise of happy adventures was not belied by the event. The fleet sailed from Plymouth with a favourable wind on the second of June, arrived at Cadiz on the 20th, and on the 21st performed one of the most brilliant day's works that was ever accomplished. "This journey" (Bacon wrote twenty-six years after) "was like lightning. For in the space of fourteen hours the King of Spain's navy was de-

[1] Queen's College, Oxford. Arch. D. 2.

stroyed and the town of Cales taken. The navy was no less than fifty tall ships, besides twenty galleys to attend them. The ships were straightways beaten, and put to flight with such terror as the Spaniards in the end were their own executioners, and fired them all with their own hands. The galleys, by the benefit of the shores and shallows, got away. The town was a fair, strong, well-built, and rich city; famous in antiquity, and now most spoken of for this disaster. It was manned with four thousand soldiers on foot, and some four hundred horse. It was sacked and burned, though great clemency was used towards the inhabitants. But that which is no less strange than the sudden victory, is the great patience of the Spaniards; who though we stayed upon the place divers days, yet never offered us any play then, nor never put us in suit by any action of revenge or reparation at any times after."[1]

Essex (to whom the successful assault upon the town as well as the measures taken to keep order and protect inoffensive persons from outrage were chiefly due) was urgent to follow up the advantage and endeavour to destroy the Indian fleet, then on its way homeward; but his colleagues would not risk it. So the fleet returned with its spoil and its honour; and Essex himself with an immense increase of favour with the people, and not a little of discontent with the Court. There seem to have been many charges and counter-charges; and much dispute about the division of the spoil, as well as who was entitled to the credit of what had been done, and who to blame for what had been left undone. Essex wrote some papers in justification of his own views, and was so little satisfied with the reception of his service, that he appears to have thought of keeping aloof from Court and Council, as he had so often done before on similar occasions. But news arriving that the homeward-bound Indian fleet, which he had proposed to wait for, had sailed safely into the Tagus within a day or two after his proposal had been overruled in the Council of War, seemed to show that the rejection of his advice had in fact been the loss of a great prize: upon which his opponents were obliged to draw in their horns, and at the date of the letter which comes next all was fair weather between him and the Queen. The time was not however the less critical on that account, with a man who had so strong a love for glory and popularity and so little patience with those who crossed him, and who had been so often successful in carrying his ends by the open expression of discontent. Enemies at Court he was sure to make, and the favour of the people and the army was a dangerous ally to meet them with, when the decision rested with such a queen as Elizabeth. It was at this juncture

[1] 'Considerations touching War with Spain,' 1624, to be printed in its place.

that Bacon wrote him a letter of advice, which, though of the most confidential character, and one which cannot have been intended for strange eyes, has been by some accident preserved. It comes from the supplementary collection in the 'Resuscitatio,' and therefore with Dr. Rawley's sanction as to genuineness; and we could hardly have better evidence as the nature of Bacon's relation with Essex at this time, or of the policy which he wished him to pursue.

TO MY LORD OF ESSEX, FROM MR. BACON.[1]

My singular good Lord,

I will no longer dissever part of that which I meant to have said to your Lordship at Barn-Elms from the *exordium* which I then made. Whereunto I will only add this; that I humbly desire your Lordship, before you give access to my poor advice, to look about, even jealously a little if you will, and to consider, first, whether I have not reason to think that your fortune comprehendeth mine. Next, whether I shift my counsel, and do not *constare mihi:* for I am persuaded there are some would give you the same counsel now which I shall, but that they should derogate from that which they have said heretofore. Thirdly, whether you have taken hurt at any time by my careful and devoted counsel; for although I remember well your Lordship once told me that, you having submitted upon my well-meant motion at Nonsuch (the place where you renewed a treaty with her Majesty of obsequious kindness), she had taken advantage of it; yet I suppose you do since believe that it did much attemper a cold malignant humour then growing upon her Majesty towards your Lordship, and hath done you good in consequence. And for my being against it, now lately, that you should not estrange yourself, although I give place to none in true gratulation, yet neither do I repent me of safe counsel, neither do I judge of the whole play by the first act. But whether I counsel you the best, or for the best, duty bindeth me to offer to you my wishes. I said to your Lordship last time, *Martha, Martha, attendis ad plurima, unum sufficit;* win the Queen: if this be not the beginning, of any other course I see no end. And I will not now speak of favour of affection, but of other correspondence and agreeableness; which, whensoever it shall be conjoined with the other of affection, I durst wager my

[1] Rawley's 'Resuscitatio,' Supplement, p. 106.

life, (let them make what *prosopopœias* they will of her Majesty's nature,) that in you she will come to the question of *Quid fiet homini, quem rex vult honorare?* But how is it now? A man of a nature not to be ruled; that hath the advantage of my affection, and knoweth it; of an estate not grounded to his greatness; of a popular reputation; of a military dependence: I demand whether there can be a more dangerous image than this represented to any monarch living, much more to a lady, and of her Majesty's apprehension? And is it not more evident than demonstration itself, that whilst this impression continueth in her Majesty's breast, you can find no other condition than inventions to keep your estate bare and low; crossing and disgracing your actions; extenuating and blasting of your merit; carping with contempt at your nature and fashions; breeding, nourishing, and fortifying such instruments as are most factious against you; repulses and scorns of your friends and dependants that are true and steadfast; winning and inveigling away from you such as are flexible and wavering; thrusting you into odious employments and offices, to supplant your reputation; abusing you and feeding you with dalliances and demonstrations, to divert you from descending into the serious consideration of your own case; yea and percase venturing you in perilous and desperate enterprises. Herein it may please your Lordship to understand me; for I mean nothing less than that these things should be plotted and intended as in her Majesty's royal mind towards you: I know the excellency of her nature too well. But I say, wheresoever the formerly-described impression is taken in any King's breast towards a subject, these other recited inconveniences must, of necessity of politic consequence, follow; in respect of such instruments as are never failing about princes: which spy into their humours and conceits, and second them; and not only second them, but in seconding increase them; yea and many times, without their knowledge, pursue them further than themselves would. Your Lordship will ask the question, wherewith the Athenians were wont to interrupt their orators, when they exaggerated their dangers; *Quid igitur agendum est?*

I will tell your Lordship *quæ mihi nunc in mentem veniunt;* supposing nevertheless that yourself out of your own wisdom, upon the case with this plainness and liberty represented to you, will find out better expedients and remedies. I wish a cure

applied to every of the five former impressions, which I will take, not in order, but as I think they are of weight.

For the removing the impression of your nature to be *opiniastre* and not rulable: First and above all things I wish that all matters past, which cannot be revoked, your Lordship would turn altogether upon insatisfaction, and not upon your nature or proper disposition. This string you cannot upon every apt occasion harp upon too much. Next, whereas I have noted you to fly and avoid (in some respect justly) the resemblance or imitation of my Lord of Leicester and my Lord Chancellor Hatton; yet I am persuaded (howsoever I wish your Lordship as distant as you are from them in points of favour, integrity, magnanimity, and merit) that it will do you much good between the Queen and you, to allege them (as oft as you find occasion) for authors and patterns. For I do not know a readier mean to make her Majesty think you are in your right way. Thirdly, when at any time your Lordship upon occasion happen in speeches to do her Majesty right (for there is no such matter as flattery amongst you all), I fear you handle it *magis in speciem adornatis verbis, quam ut sentire videaris;* so that a man may read formality in your countenance; whereas your Lordship should do it familiarly *et oratione fidâ.* Fourthly, your Lordship should never be without some particulars afoot, which you should seem to pursue with earnestness and affection, and then let them fall, upon taking knowledge of her Majesty's opposition and dislike. Of which the weightiest sort may be, if your Lordship offer to labour in the behalf of some that you favour for some of the places now void; choosing such a subject as you think her Majesty is like to oppose unto. And if you will say that this is *conjunctum cum alienâ injuriâ,* I will not answer, *Hæc non aliter constabunt;* but I say, commendation from so good a mouth doth not hurt a man, though you prevail not. A less weighty sort of particulars may be the pretence of some journeys, which at her Majesty's request your Lordship mought relinquish; as if you would pretend a journey to see your living and estate towards Wales, or the like: for as for great foreign journeys of employment and service, it standeth not with your gravity to play or stratagem with them. And the lightest sort of particulars, which yet are not to be neglected, are in your habits, apparel, wearings, gestures, and the like.

The impression of greatest prejudice next, is that of a militar dependence. Wherein I cannot sufficiently wonder at your Lordship's course; that you say, the wars are your occupation, and go on in that course; whereas, if I mought have advised your Lordship, you should have left that person at Plymouth; more than when in counsel, or in commending fit persons for service for wars, it had been in season. And here (my Lord) I pray mistake me not. I am not to play now the part of a gown-man, that would frame you best to mine own turn. I know what I owe you. I am infinitely glad of this last journey, now it is past; the rather, because you may make so honourable a full point for a time. You have property good enough in that greatness. There is none can, of many years, ascend near you in competition. Besides, the disposing of the places and affairs both, concerning the wars, (you increasing in other greatness) will of themselves flow to you; which will preserve that dependence in full measure. It is a thing that of all things I would have you retain, the times considered, and the necessity of the service; for other reason I know none. But I say, keep it in substance, but abolish it in shows to the Queen. For her Majesty loveth peace. Next, she loveth not charge. Thirdly, that kind of dependence maketh a suspected greatness. Therefore, *quod instat agamus*. Let that be a sleeping honour awhile, and cure the Queen's mind in that point. Therefore again, whereas I heard your Lordship designing to yourself the Earl Marshal's place, or the place of Master of the Ordnance, I did not in my mind so well like of either; because of their affinity with a martial greatness. But of the places now void, in my judgment and discretion, I would name you to the place of Lord Privy Seal. For first, it is the third person of the great officers of the crown. Next, it hath a kind of superintendence over the Secretary. It hath also an affinity with the Court of Wards, in regard of the fees from the liveries. And it is a fine honour, quiet place, and worth a thousand pounds by year. And my Lord Admiral's father had it, who was a martial man. And it fits a favourite to carry her Majesty's image in seal, who beareth it best expressed in heart. But my chief reason is, that which I first alleged, to divert her Majesty from this impression of a martial greatness. In concurrence whereof, if your Lordship shall [not] [1] remit anything of your former diligence at the Star

[1] Omitted in R.

Chamber; if you shall continue such intelligences as are worth the cherishing; if you shall pretend to be as bookish and contemplative as ever you were: all these courses have both their advantages and uses in themselves otherwise, and serve exceeding aptly to this purpose. Whereunto I add one expedient more, stronger than all the rest; and, for mine own confident opinion, void of any prejudice or danger of diminution of your greatness; and that is, the bringing in of some martial man to be of the Council; dealing directly with her Majesty in it, as for her service and your better assistance; choosing nevertheless some person that may be known not to come in against you by any former division. I judge the fittest to be my Lord Mountjoy, or my Lord Willoughby. And if your Lordship see deeplier into it than I do, that you would not have it done in effect; yet in my opinion, you may serve your turn by the pretence of it, and stay it nevertheless.

The third impression is of a popular reputation; which because it is a thing good in itself, being obtained as your Lordship obtaineth it, that is *bonis artibus;* and besides, well governed, is one of the best flowers of your greatness both present and to come; it would be handled tenderly. The only way is to quench it *verbis* and not *rebus*. And therefore to take all occasions, to the Queen, to speak against popularity and popular courses vehemently; and to tax it in all others: but nevertheless to go on in your honourable commonwealth courses as you do. And therefore I will not advise you to cure this by dealing in monopolies, or any oppressions. Only, if in Parliament your Lordship be forward for treasure in respect of the wars, it becometh your person well. And if her Majesty object popularity to you at any time, I would say to her, a Parliament will show that; and so feed her with expectation.

The fourth impression, of the inequality between your estate of means and your greatness of respects, is not to be neglected. For believe it (my Lord) that till your Majesty find you careful of your estate, she will not only think you more like to continue chargeable to her, but also have a conceit that you have higher imaginations. The remedies are, first, to profess it in all speeches to her. Next, in such suits wherein both honour, gift, and profit may be taken, to communicate freely with her Majesty, by way of inducing her to grant, that it will be this benefit to you.

Lastly, to be plain with your Lordship (for the gentlemen are such as I am beholding to), nothing can make the Queen or the world think so much that you are come to a provident care of your estate, as the altering of some of your officers; who though they be as true to you as one hand to the other, yet *opinio veritate major*. But if, in respect of the bonds they may be entered into for your Lordship, you cannot so well dismiss yourself of them, this cannot be done but with time.

For the fifth and last, which is of the advantage of a favourite; as, severed from the rest, it cannot hurt; so, joined with them, it maketh her Majesty more fearful and shadowy, as not knowing her own strength. The only remedy to this is, to give way to some other favourite, as in particular you shall find her Majesty inclined; so as the subject hath no ill nor dangerous aspect towards yourself. For otherwise, whosoever shall tell me that you may not have singular use of a favourite at your devotion, I will say he understandeth not the Queen's affection, nor your Lordship's condition. And so I rest.

October 4, 1596.

Well would it have been for Essex if he could have taken this view of his own case, and been content to rest upon the honour which he had achieved. For fortune had no more prizes of that kind in reserve for him. And besides the policy of leaving off a winner in a game where there were many chances against him, it is probable that a serious endeavour to follow Bacon's advice would have corrected the defects of his character as well as made his fortunes secure: for the habit of self-control and submission would have taught him the constancy and composure which he wanted. But it was advice which, if not followed consistently, might better have been let alone. Fits of affected obsequiousness, interrupted by outbreaks of haughty self-opinion, formed the worst mixture: the one losing all its grace, and other all its excuse: and such a mixture, I am afraid, it really led to. For awhile however, Essex seems to have acted upon it with good effect; and the rest of the year passed without any differences that we hear of. For Bacon himself also things looked better. During the Christmas holidays he received "gracious usage and speech"[1] from the Queen: prelude, it was hoped, to more substantial favours. While he on his part presented her with a sample of a work which he meditated, on the Maxims of the Law; which was

[1] Anthony Bacon to his mother, 31st December, 1596.

meant to be his great contribution to the science of his profession—a collection of the principal Rules and Grounds of Law dispersed through the body of decided cases. How far he proceeded with this work at a later period is not known. But the specimen which has come down to us, and which will be found in its place among the Professional Works, is supposed by Mr. Heath to have been composed entirely at this period of his life. To the same period must be referred the 'Essays' in their earliest form, the fragment entitled 'Colours of Good and Evil,' and the 'Meditationes Sacræ;' which were published shortly after. From these we may partly infer the nature of his occupations during the autumn and winter of 1596, concerning which we should otherwise be left in ignorance: for except the following letter to Mr. Thomas Hesket on behalf of a servant of his brother's, among whose papers a copy of it is preserved, I find no writing of an occasional character belonging to these months.

Mr. Hesket,[1]

This bearer, James Ousie, now servant to my brother Anthony Bacon, and heretofore servant from childhood in the house of your brother, Mr. Barth. Hesket, dependeth upon your brother's favour and the confirmation of his promise touching a small copyhold to be joined again to another part, both which his ancestors have possessed. He is persuaded your good word and advice will dispose his late master to grant it him. I pray you at my request undertake the matter and help the poor man; and I shall accept it as a kindness from you. So in some haste I commend you to the Divine preservation, this 22nd of December, 1596.

Your friend loving and assured,

Fr. Bacon.

[1] Lambeth MSS. 660, fo. 107. Copy, in the hand of Anthony Bacon's secretary. Docketed, "De Monsr Fra. Bacon a Monsr Tho. Hesket, le 22me Decembre, 1596."

CHAPTER III.

A.D. 1597. ÆTAT. 37.

1.

So many of the letters belonging to this period of Bacon's life are without date, and the business of one year is in its general features so like that of another, that it is difficult to ascertain their true sequence: and inferences which might otherwise take place as facts can only be offered as conjectures.

If I am right in supposing that the three which follow were all written in February or March, 1596-7, it seems that Bacon's patience had at this time to stand the trial of another hope followed by another disappointment. But the date which I assign to them is inferred from certain incidental allusions, which will be more easily understood if I first explain how the latest treaty of amity between Essex and the Queen was prospering, being now of some six months' duration, and on what terms they stood to each other in March, 1597.

It was not to be supposed that the King of Spain would take the capture of Cadiz and the destruction of his shipping quietly: and rumours of great naval preparations aimed at England or Ireland were rife during the winter. The alarm grew hotter as the fighting season approached, and it was resolved to set forth another expedition of sea and land forces to meet him. With this resolution came the first severe trial which Essex's improved courtship had to endure. In the Tiltyard and the Presence, where he naturally without dispute took the first place, love and loyalty supported him under many afflictions. But a war with Spain, and anybody but himself to enjoy the glory of it, was more than his spirit could endure. As early as the 25th of February we find that he had been keeping his chamber (under pretence of sickness, but really in discontent) "for a full fortnight;" the ground of discontent being apparently the appointment of colleagues; for it is added, that "her Majesty had resolved to break him of his will and pull down his great heart: who found it a thing impossible, and says he holds it from the mother's side;" and

that on being told by her "that Lord Thomas Howard and Sir Walter Ralegh were to be joined with him in equal authority," he had "refused to go, and been well chidden for it."[1] And though it was understood that all was well again then (Feb. 25) between him and the Queen, we find him on the 4th of March still at enmity with Sir Robert Cecil, and (in spite of Ralegh's mediation, who had been trying to reconcile them) on the point of quitting the Court and making a journey into Wales.

About the same time another quarrel arose upon the appointment to the Wardenship of the Cinque Ports, vacant by the death of Lord Cobham (March 6); whose eldest son, an enemy of the Earl's, was one of the competitors. Essex wished Sir Robert Sydney to have the place; but finding the Queen resolute in favour of the new Lord Cobham, and "seeing he is likely to carry it away, I mean (said the Earl) resolutely to stand for it myself against him. . . . My Lord Treasurer is come to Court, and we sat in council this afternoon in his chamber. I made it known unto them that I had just cause to hate the Lord Cobham, for his villanous dealing and abusing of me: that he hath been my chief persecutor most injustly; that in him there is no worth: if therefore her Majesty would grace him with honour, I may have right cause to think myself little regarded by her."[2] This was on Monday: on the following Saturday, we learn from the same reporter how the quarrel ended. "My Lord of Essex stood for the Cinque Ports; but the Queen told him that the now Lord Cobham should have it. Whereupon he was resolved to leave the Court, and upon Thursday morning, 10th March, himself, his followers, and horses were ready. He went to speak with my Lord Treasurer about ten o'clock, and by Somerset House Mr. Killigrew met him, and willed him to come to the Queen. After some speech had privately with her, she made him Master of the Ordnance, which place he hath accepted and receives contentment by it."[3]

Here then we see the same dangerous game, which Bacon so earnestly deprecated, once more played and won: a fact not to be forgotten with reference to the growing troubles and fatal termination of his fortune, which we shall shortly witness. But my object in mentioning these particulars at present is only to establish a fact which helps to date the three following letters: namely, that for a month and more before the 10th of March, 1596-7, the Queen and the Earl had been on terms of mutual dissatisfaction, and that the reconciliation was brought about by a violent proceeding on the Earl's part.

Another fact, which though trivial in itself happens to be material

[1] Sydn. Pap. ii. 19. [2] Sydn. Pap. ii. 26. [3] Sydn. Pap. ii. 27.

in reference to the same point, I learn from the same authority, which is, that at the end of February and the beginning of March the weather was unusually severe, and Burghley confined to his chamber and prevented from attending to his business as usual, in consequence of it.

If to these I could but add a third, namely that in the early part of this same year, probably between Hilary and Easter Term, a plan was in agitation for procuring some change of places among the law officers which would have made room for Bacon, I should have little doubt that I had fixed my date correctly: for everything would then fit into its place. Of this however I can find no direct evidence, and only offer it as a conjecture. But it is a conjecture involving no improbability: for indeed it could hardly have been otherwise. While the office of Master of the Rolls continued vacant there was sure to be some project on foot for filling it. It is known that Serjeant Hele had hopes:[1] and Bacon believed that there was a plot between Coke and the Attorney of the Wards—the one to go to the Rolls and the other to be made Attorney-General.[2] Fleming in that case would probably be a competitor for one of the offices. And in any case a place would be vacated to which Bacon might naturally succeed.

Assuming then that in a fit of very cold weather in the beginning of March, while Burghley was confined by illness, and Essex was in one of his eclipses, some such arrangement was in agitation, the letters which follow will be found sufficiently intelligible and consistent.

To the Lord Treasurer.[3]

It may please your good Lordship,

I am to give you humble thanks for your favourable opinion, which by Mr. Secretary's report I find you conceive of me, for the obtaining of a good place,[4] which some of my honourable friends have wished unto me *nec opinanti*. I will use no reason to persuade your Lordship's mediation but this; that your Lordship and my other friends shall in this beg my life of the Queen; for I see well the Bar will be my Bier, as I must and will use it rather than my poor estate or reputation shall decay. But I stand indifferent whether God call me, or her Majesty. Had

[1] Egerton Papers, p. 315. [2] See letter to Egerton, p. 63.

[3] Rawley's 'Resuscitatio,' Supplement, p. 88.

[4] This may have been either the Solicitorship, to be vacated by the promotion of Fleming: or the Attorneyship of the Wards, to be vacated by that of Hesketh. See the next letter to Burghley, p. 52. Not the Rolls: for if Burghley had ever favoured his pretensions to that office, it would have certainly been mentioned in the enumeration of his favours.

I that in possession, which by your Lordship's only means, against the greatest opposition, her Majesty granted me, I would never trouble her Majesty, but serve her still voluntarily without pay. Neither do I in this more than obey my friends' conceits, as one that would not be wholly wanting to myself. Your Lordship's good opinion doth somewhat confirm me, as that I take comfort in above all others; assuring your Lordship that I never thought so well of myself for any one thing, as that I have found a fitness, to my thinking, in myself to observe and revere your virtues. For the continuance whereof, in the prolonging of your days, I will still be your beadsman; and accordingly at this time commend your Lordship to the Divine protection.

To Sir John Stanhope.[1]

Sir,

Your good promises sleep, which it may seem now no time to awake; but that I do not find that any general kalendar of observation of time serveth for the Court: and besides, if that be done which I hope by this time is done, and that other matter shall be done which we wish may be done, I hope to my poor matter the one of these great matters may clear the way and the other give the occasion. And though my Lord Treasurer be absent, whose health nevertheless will enable him to be sooner at Court than is expected, especially if this hard weather (too hard to continue) shall relent,[2] yet we abroad say, his Lordship's spirit may be there though his person be away. Once I take for a good ground that her Majesty's business ought to keep neither vacation nor holy-day, either in the execution or in the care and preparation of those whom her Majesty calleth and useth: and therefore I would think no time barred from remembering that, with such discretion and respect as appertaineth. The conclusion shall be, to put you in mind to maintain that

[1] Rawley's 'Resuscitatio,' Supplement, p. 87.

[2] "My Lord Treasurer is not well; the sharpness of the weather makes him keep in." Rowland Whyte to Sir R. Sydney, 28 Feb., 1596. "Until my Lord Treasurer be well, whose hands are bound up this cold weather." Same to same, 4th March, 1596. "Yours . . . for my Lord Treasurer, I gave Mr. Secretary, because his father hath not suffered anybody to trouble him with letter or anything else these four or five days. They say he is ill, and hath a great heat in his mouth and throat." Same to same, 16th March. "My Lord Treasurer now admits access to such as have business with him, and I hope the fairness of the weather will bring him to Court." Same to same, 19th March.

which you have kindly begun, according to the reliance I have upon the sincerity of your affection and the soundness of your judgment. And so I commend you to God's preservation.

To my Lord of Essex.[1]

My Lord,

I am glad your Lordship hath plunged out of your own business. Wherein I must commend your Lordship, as Xenophon commended the state of his country; which was thus:[2] *that having chosen the worst form of government of all others, they governed the best in that kind. Hoc pace et veniâ tuâ,* according to my charter. Now, as your Lordship is my witness that I would not trouble you whilst your own cause was in hand (though that I know that the further from the term[3] the better the time was to deal for me); so, that being concluded, I presume I shall be one of your next cares. And having communicated with my brother of some course, either to perfit the first or to make me some other way; or rather by seeming to make me some other way to perfit the first; wherewith he agreed to acquaint your Lordship; I am desirous for mine own better satisfaction to speak with your Lordship myself: which I had rather were somewhere else than at Court, and as soon as your Lordship will assign me to wait on you. And so in, etc.

The next letter was probably written later. But I cannot find anything by which to fix the date within any narrow limits. This however seems as likely to be its proper place in order of time as any other, and in order of matter it will come in here very conveniently.

To the Lord Treasurer Burghley.[4]

Most honourable, and my very good Lord,

I know I may commit an error in writing this letter, both in a time of great and weighty business, as also when myself am not induced thereto by any new particular occasion; and therefore your Lordship may impute to me either levity or ignorance what appertaineth to good respects and forwardness of dealing,

[1] Rawley's 'Resuscitatio,' Supplement, p. 86.
[2] *this* in original.
[3] Hilary Term ended 13th February. Easter Term began 18th April. Essex's patent as Master of the Ordnance was signed 18th April.
[4] Rawley's 'Resuscitatio,' Supplement, p. 90.

especially to an honourable person, in whom there is such concurrence of *magnitudo honoris et oneris*, as it is hard to say whether is the greater. But I answer myself first, that I have ever noted it as a part of your Lordship's excellent wisdom, *parvis componere magna;* that you do not exclude inferior matters of access, amongst the care of great. And for myself, I thought it would better manifest what I desire to express, if I did write out of a deep and settled consideration of mine own duty, rather than upon the spur of a particular occasion. And therefore (my singular good Lord) *ex abundantiâ cordis*, I must acknowledge how greatly and diversly your Lordship hath vouchsafed to tie me unto you by many your benefits. The reversion of the office which your Lordship only procured unto me, and carried through great and vehement opposition, though it yet bear no fruit, yet it is one of the fairest flowers of my poor estate; your Lordship's constant and serious endeavours to have me Solicitor; your late honourable wishes for the place of the Wards;[1] together with your Lordship's attempt to give me way by the remove of Mr. Solicitor;[2] they be matters of singular obligation: besides many other favours, as well by your Lordship's grants from yourself, as by your commendation to others, which I have had for my help; and may justly persuade myself, out of the few denials I have received, that fewer mought have been, if mine own industry and good hap had been answerable to your Lordship's goodness. But on the other side, I most humbly pray your Lordship's pardon if I speak it. The time is yet to come that your Lordship did ever use or command or employ me in my profession, in any services or occasions of your Lordship's own, or such as are near unto your Lordship; which hath made me fear sometimes that your Lordship doth more honourably affect me, than throughly discern of my most humble and dutiful affection to your Lordship again. Which if it were not in me, I know[3] not whether I were unnatural, unthankful, or unwise. This causeth me most humbly to pray your Lordship (and I know mine own case too well to speak it as weening I can do your Lordship service, but as willing to do it) to believe that your Lordship is

[1] Attorney of the Wards, probably. This may have been the place alluded to in the previous letter, which some of Bacon's friends "had wished unto him, *nec opinanti*."

[2] Fleming, who had been made Solicitor on the 6th November, 1595.

[3] *knew* in the original.

upon just title a principal owner and proprietary of that, I cannot call talent, but mite, that God hath given me; which I ever do and shall devote to your service. And in like humble manner I pray your Lordship to pardon mine errors, and not to impute unto me the errors of any other[1] (which I know also themselves have by this time left and forethought); but to conceive of me to be a man that daily profiteth in duty. It is true I do in part comfort myself, supposing that it is my weakness and insufficiency that moveth your Lordship, who hath so general a command, to use others more able. But let it be as it is; for duty only and homage I will boldly undertake that nature and true thankfulness shall never give place to a politic dependence. Lastly, I most humbly desire your Lordship to continue unto me the good favour and countenance and encouragement in the course of my poor travails, whereof I have had some taste and experience; for the which I yield your Lordship my very humble good thanks. And so again, craving your Honour's pardon for so long a letter, carrying so empty an offer of so unpuissant a service, but yet a true and unfeigned signification of an honest and vowed duty, I cease; commending your Lordship to the preservation of the Divine Majesty.

2.

Whatever the project was, it is plain that it had come to nothing. Bacon's fortunes are still as they were; only with this difference—that as the calls on his income are increasing in the shape of interest for borrowed money, the income itself is diminishing through the sale of lands and leases. At this juncture (12th March, 1596-7) Sir William Hatton died; leaving a young widow, clever, handsome, and well provided: daughter of Sir Thomas Cecil, whose step-mother was Bacon's aunt: probably therefore an early acquaintance. What sort of person she was or seemed to be in those years, I do not find reported. There can be no doubt that the worst disease under which Bacon was at present labouring would have been effectually relieved by a wealthy marriage; and I have no reason to suppose that this particular marriage would have been otherwise ineligible. It is certain at any rate that he did make up his mind to try his fortune with the young widow,—certain also that nothing came of it. But this, I am sorry to say, is all we know. He asked the Earl of Essex to

[1] Alluding probably to his brother Anthony, who thought Burghley had used him ill, and had expressed himself very freely on the subject.

write to her parents and to herself on his behalf; who wrote accordingly:—but whether the affair proceeded any further—whether Bacon proposed to her parents or to herself; whether he proposed at all; and, if he proposed, how, why, and by whom he was rejected—all this must remain in obscurity. The letter which comes next—without which I believe it would not be known that he had ever entertained such a project—contains, so far as I am aware, all that is known about it.

The few words relating to the forth-going expedition, with which the same letter concludes, are of more interest to us. It may be the knowledge of what is coming that gives a significance and solemnity to such passages beyond their natural import; but to me there is a tragic pathos in these continually repeated notes of warning, so lightly touched, yet so full of sad foreboding, and so terribly justified by the coming event which they foreshadowed.

How far Essex was concerned in the original project of this expedition is doubtful. He said himself that the Queen "had armed and victualled ten of her own ships and caused the States of the Low Countries to furnish the like number, before ever he was spoken of to go to sea;" and it is true—so at least the rumour ran at the time—that when a *co-ordinate* command was offered him, he refused to go. But from the time that the scope of the enterprise was enlarged and the sole command offered to himself, it appears from his own account that he entirely approved and urged it forward. He made no doubt that he should destroy both the fleet and army then collected at Ferrol, and so have the Spanish commerce, coasts, and islands at his mercy.[1] And as a further proof how well he liked the service, we find that immediately after his nomination as commander-in-chief he laid his rivalries and jealousies aside, made friends with Sir Robert Cecil, and saw without discontent Ralegh used graciously by the Queen and coming boldly to the Privy Chamber as he was wont.[2] It seems too that Bacon had talked of it with him at the time, as an action of which, if not the author, he was at least the favourer. "Nay I remember" (says he) "I was thus plain with him upon his voyage to the islands, when I saw every spring put forth such actions of charge and provocation, that I said to him, 'My Lord, when I came first unto you, I took you for a physician that desired to cure the diseases of the State; but now I doubt you will be like those physicians which can be content to keep their patients low because they will be always in request.'"[3] And indeed whatever Bacon may have thought of the policy of the expedition in itself, we need not doubt that he regretted the part which Essex was to have in it. After what he had said in

[1] Essex's Apology. [2] Sydn. Pap., 2nd June, 1597. [3] Bacon's Apology.

October of the conduct which he wished him to pursue, to find him engaged in a new military enterprise next May could be no matter of congratulation. But when the following letter was written, the decision had been taken: Essex had accepted the commission, and all that could be done was to excite him to discharge it worthily, thinking of the thing and not of the glory.

To my Lord of Essex.[1]

My singular good Lord,

Your Lordship's so honourable minding my poor fortune the last year, in the very entrance into that great action (which is a time of less leisure), and in so liberal an allowance of your eare as to write three letters to stir me up friends in your absence, doth after a sort warrant me not to object to myself your present quantity of affairs, whereby to silence myself from petition of the like favour. I brake with your Lordship myself at the Tower, and I take it my brother hath since renewed the same motion, touching a fortune I was in thought to attempt *in genere œconomico*. *In genere politico*, certain cross winds have blown contrary. My suit to your Lordship is for your several letters to be left with me, dormant, to the gentlewoman and either of her parents; wherein I do not doubt but as the beams of your favour have often dissolved the coldness of my fortune, so in this argument your Lordship will do the like with your pen. My desire is also, that your Lordship would vouchsafe unto me, as out of your eare, a general letter to my Lord Keeper, for his Lordship's holding me from you recommended, both in the course of my practice and in the course of my employment in her Majesty's service. Wherein if your Lordship shall in any antithesis or relation affirm that his Lordship shall have no less fruit of me than of any other whom he may cherish, I hope your Lordship shall engage yourself for no impossibility. Lastly and chiefly, I know not what whether I shall attain to see your Lordship before your noble journey; for ceremonies are things infinitely inferior to my love and to my zeal. This let me, with your allowance, say unto you by pen. It is true that in my well-meaning advices, out of my love to your Lordship, and perhaps out of the state of mine own mind, I have sometimes persuaded a course differing; *ac tibi pro tutis insignia facta placebunt*. Be it so: yet remember,

[1] Resuscitatio, Supplement, p. 112.

that the signing of your name is nothing, unless it be to some good patent or charter, whereby your country may be endowed with good and benefit. Which I speak, both to move you to preserve your person for further merit and service of her Majesty and your country; and likewise to refer this action to the same end. And so, in most true and fervent prayers, I commend your Lordship and your work in hand to the preservation and conduct of the Divine Majesty; so much the more watchful, as these actions do more manifestly in show, though alike in truth, depend upon His divine providence.

If Bacon's success with the young widow had depended upon the strength of Essex's recommendation, he would not have been disappointed. A good opinion more confident, an interest more earnest and unmistakably sincere, could not be conveyed in English.[1] Of the further proceeding we know nothing; not even whether the proposal was ever made. All we know is that in 1597 rumour assigned Lady Hatton to Mr. Greville, without any allusion to Bacon, and that on the 7th of November, 1598, she became the wife neither of Greville nor of Bacon, but of Coke.[2] In after-years we shall meet her again; but at present I have no information to give about the wooing either of the successful suitor or the unsuccessful.

3.

The fortune *in genere œconomico* having thus shared the same fate with the fortune *in genere politico*, Bacon had to consider whether for relief of his immediate necessities anything could be made of his reversion of the Clerkship of the Star Chamber. It was a saleable office; and the present possessor was in some danger of being deprived of it, upon a charge of exacting unlawful fees. For some years the administration of this office had given rise to complaints. In the last Parliament a bill had been brought in, as we have seen, for the reformation of it; but by a little management on the part of the Speaker had been thrown out on the second reading.[3] Upon this I suppose the complainants addressed themselves to the Queen. For it appears that the matter was under inquiry in 1595, when Puckering was Lord Keeper;[4] and it is certain that at a later period some of the fees claimed by the Clerk of the Council were by authority of the Lord Keeper Egerton restrained.[5]

[1] The letters are printed in Birch's 'Memoirs,' ii. p. 347.
[2] Letter of John Chamberlain, 8th November, 1598. S. P. O.: Domestic.
[3] See Vol. I. p. 228. [4] See Vol. I. p. 363.
[5] See a paper headed "The humble petition . . . . of the Clerk of the Council

It was while Egerton was engaged in this investigation that the following paper was laid before him.[1]

The humble motion and allegations of Fr. Bacon concerning certain fees restrained by the Right Honourable the Lord Keeper, of which fees Mr. Mylle, Clerk of the Council, hath been vested and possessed as in right of his office, whereof the said Fr. Bacon by her Majesty's royal grant is in reversion.

First, I humbly pray your Lordship to conceive that I hold it no augmentation nor raising to the office, but a pulling down and canker to it, if any unjust fees should cleave to the same; and as I know mine own mind in this, so I have that good estimation of Mr. Mill, as I suppose he beareth the same mind.

Next, I do in heart so fully consent and gratulate to her Majesty's sovereign intention for the reformation of abuses in justice, and to your Lordship's reverent severity in the same, as I shall be glad of it though I be a leeser in particular, yea though it should be never executed nor put in ure but only in this office of ours (if cause were), and all other went scott-free.

My humble petition is that as your Lordship shall receive from Mr. Mill answer *articulatim* to the several points out of his skill and experience, so your Lordship may be pleased withal to give some attention to these allegations touching the mere right of the fees, which upon perusal of his answers and conference with him I have to mine own sense collected, and am to open and submit to your grave and honourable consideration.

Your Lordship's course, as I do apprehend it, is to restrain such fees as are not ancient fees. But then the question is what is to be understood for an ancient fee; which ministereth these doubts following.

First, if a fee have been always taken, but sometimes more and less, if the officer shall draw it to a fee certain, and tax it at the lowest rate of that which hath been used to be paid, whether this may not be accounted ancient fee.

concerning his fees restrained by the Rt. Hon. The Lord Keeper;" docketed 3 July, 1597, and described as a petition "against the directions upon the late orders in Star Chamber."—MSS. at Bridgwater House: vol. 10, No. 2.

[1] Bridgwater House MSS. vol. 18, No. 1. The original paper; not in Bacon's hand, but corrected by him in two or three places. Docketed "5 Julij, Mr. Bacon."

Under this question falleth out the fees of search, as well those for bills and replications as those for commissions, which fees have been anciently taken, but variably; which Mr. Mill had the more reason to restrain to a certainty, because he taketh it not himself but putteth it over to his clerk, whose discretion it was not safe for him to trust, in leaving it to his liberty to take an uncertain reward.

The noble taken for certificate falleth within the same question, forasmuch as reward hath been always taken for the same according as usual for certificates in the Chancery; and although it be not used by the Judges and the Queen's Counsel Learned in the Star Chamber, yet the nature of the Clerk of Counsel's certificate differeth from the rest, because the references made to him are either upon question of precedents in the Court in other cases, or upon question how a particular cause standeth in proceeding in the Court, both which points require much travel in search or perusal of orders or other records of the Court, whereas the other certificates require but audience, or consideration of that which is prepared to be showed and set forth by the party's counsel.

And it seemeth to have proceeded of a very good mind in Mr. Mill, to have drawn this reward to an equal and very moderate fee, lest in this service, which is judicial, he mought be thought to carry himself more or less favourable according to the liberality used towards him.

Secondly, if an ancient fee be in case, and the favour of the Court or some new course conceived do draw matters into another course, whereby that ease (in which the ancient fee is due) is frustrated, whether yet the officer's fee ought not to remain and to be accounted as the ancient fee? Under this question falleth the fee of a noble for such as answer by *ded. pot.*, wherein Mr. Mill allegeth the precedent of the proclamation, when by reason of sickness all defendants were permitted to answer by *ded. pot.*; at what time nevertheless all fees were paid, and so was the Judge's opinion.

So when the Lord Chancellor or Keeper passeth any patent by immediate warrant, yet the fees of the Clerk of the Seal and Signet are ordered to be answered, and yet they do nothing for them.

So since the office erected of writing the Queen's leases granted

by the coñ[1] (?) which were wont to pass the Queen's Learned Counsel, the fees remain good to the Attorney and Solicitor, and yet the leases come not to them.

So no doubt by diligence many the like precedents mought be found out, it standing with all equity and reason that new orders or favours should not frustrate ancient and vested fees.

Thirdly, if by a new order of the Court the officer be enjoined to any new travel in case not accustomed, whether the same fee be not due in that case not accustomed, which is due in the like cases accustomed.

Under this falleth the question of the fee for subsignation, being the same fee which the clerk in all cases taketh for his hand and sign, and there being a new order that copies should be credenced with the clerk's hand, which heretofore was set to when the subject prayed it, and the fee ever answered, and yet allowed in that case; so as it is the new order exacts this fee generally, and not the officer.

Now if these defences, laid unto Mr. Mill his particular answers, shall seem unto your Lordship reasonable for the proving these fees to be in true understanding ancient fees (which defences by the precedents and courses of all other Courts mought be amplified and fortified), and nevertheless it shall seem unto your Lordship that, notwithstanding you should be pleased to give allowance to the matter of them, yet that there was an error in the form, because the Clerk of the Counsel did forerun in taking of them *de facto* as fees which he supposed to be ancient and due unto him, and not putting up some petition unto your Lordship and the rest of the right honourable the Judges of the Court for the declaring and ordering of them accordingly; then my humble request unto your Lordship is, that that which hath not yet been done may now be done, and that your Lordship will be pleased to give us leave to become humble suitors to yourself principally, and the rest as well, for the establishing by your honourable order these fees according to reason and conveniency, and the true equity and understanding of ancient usage, as also for the redress of some wrongs and abuses which Mr. Mill findeth to be committed by the attorneys and other clerks, to the prejudice both of this office, being of her Majesty's gift, as also of the subject and suitor.

[1] So the word is written plainly enough. Is it short for *Commission*?

To conclude, if your Lordship shall not rest satisfied by these answers and defences, but upon the consideration of them and the hearing of ourselves with counsel, as it pleased your Lordship most honourably to assent unto, shall yet think good to continue these restraints in all or in part; I for my part do ascribe so much not only to your Lordship's authority but to your judgment and integrity, as I shall most willingly resign my reason to yours, and think no fee just but such as so just a magistrate shall allow.

A possible result of the investigation in question was the removal of Mill from the office; in which case Bacon would have come at once into possession. And it occurred to him that in that event it might be used to help him to a better and fitter office. If Egerton, who still held the Rolls, could use his influence to get that place for Bacon, Bacon on his part was ready to surrender the Clerkship of the Star Chamber to one of Egerton's sons. An arrangement not substantially objectionable, more than any of the innumerable cases of promotion in which the person who procures it becomes patron of the place which the promoted man leaves: though events afterwards took a turn which made it more questionable. I cannot tell: but I suppose that the next letter—which comes from the manuscript collection in Queen's College, Oxford, and was not printed by Rawley (probably as being of too private a character), and bears no date—was written about this time: that is, in the summer or autumn of 1597.

To Sir Thomas Egerton, Lord Keeper of the Great Seal.[1]

May it please your honourable good Lordship,

Of your Lordship's honourable disposition both generally and to me I have that belief, as what I think I am not afraid to speak, and what I would speak I am not afraid to write. And therefore I have thought to commit to letter some matter which I have conceived, being led into the same by two motives; the one, the consideration of mine own estate; the other, the appetite which I have to give your Lordship some evidence of the thankful and voluntary desire which is in me to merit well of your most honourable Lordship: which desire in me hath been bred chiefly by the consent I have to your great virtue, comen in very good time to do this state pleasure; and next by your loving

[1] From a collection in the library of Queen's College, Oxford, Arch. D. 2.

courses held towards me; specially in your nomination and enablement of me long sithence to the Solicitor's place, as your Lordship best knows. Which your two honourable friendships I esteem in so great sort, as your countenance and favour in my practice, which are somewhat to my poverty, yet I count them not the greatest part of the obligation wherein I stand bound to you. And now, my good Lord, I pray you right humbly, that you will vouchsafe your honourable licence and patience, that I may express to you what in a doubtful liberty I have thought fit, partly by way of praying your help, and partly by way of offering my good will: partly again by way of pre-occupating your conceit, lest you may in some things mistake. My estate, to confess a truth to your Lordship, is weak and indebted, and needeth comfort; for both my father, though I think I had greatest part in his love of all his children, yet in his wisdom served me as a last comer; and myself, in mine own industry, have rather referred and aspired to virtue than to gain: whereof I am not yet wise enough to repent me. But the while, whereas Solomon speaketh that *want cometh* first *like a wayfaring* man, and after like *an armed* man, I must acknowledge to your Lordship myself to [be] *in primo gradu;* for it stealeth upon me. But for the second, that it should not be able to be resisted, I hope in God I am not in that; for the preventing whereof, as I do depend upon God's providence all in all, so in the same his providence I see opened unto me three not unlikely expectations of help: the one, my practice; the other, some proceeding in the Queen's service; the third, [the] place I have in reversion; which, as it standeth now unto me, is but like another man's ground reaching upon my house, which may mend my prospect but it doth not fill my barn.[1]

For my practice, it presupposeth my health; which if I should judge of as a man that judgeth of a fair morrow by a fair evening, I might have reason to value well. But myself, having this error of mind that I am apter to conclude in everything of change from the present tense than of a continuance, do make no such appointment. Besides, I am not so far deceived in myself, but that I know very well (and I think your Lordship is

[1] Compare Rawley's Life, Works, vol. i. p. 7, where this expression is quoted with the variation only of one word; whence I infer that Rawley had seen this letter, though he did not print it.

major corde, and in your wisdom you note it more deeply than I can in myself), that in practising the law I play not all my best game; which maketh me accept it with a *nisi quod potius,* as the best of my fortune, and a thing agreeable to better gifts than mine, but not to mine.

For my placing, your Lordship best knoweth, that when I was much dejected with her Majesty's strange dealing towards me, it pleased you of your singular favour so far to comfort and encourage me as to hold me worthy to be excited to think of succeeding your Lordship in your second place; signifying in your plainness that no man should better content yourself: which your exceeding favour you have not since varied from, both in pleading the like signification into the hands of some of my best friends, and also in an honourable and answerable nomination and commendation of me to her Majesty. Wherein I hope your Lordship, if it please you to call to mind, did find me neither overweening in presuming too much upon it, nor much deceived in my opinion of the event for the continuing it still in yourself, nor sleepy in doing some good offices to the same purpose.

Now upon this matter I am to make your Lordship three humble requests, which had need be very reasonable, coming so many together. First, that your Lordship will hold and make good your wishes towards me in your own time; for no other I mean it. And in thankfulness thereof I will present your Lordship with the fairest flower of my estate, though it yet bear no fruit; and that is the poor reversion, which of her Majesty's gift I hold; in the which I shall be no less willing Mr. John Egerton, if it seem good to you, should succeed me,[1] than I would be willing to succeed your Lordship in the other place.

My next humble request is, that your Lordship would believe a protestation; which is, that if there be now against the next term or hereafter (for a little bought knowledge of the Court teacheth me to foresee these things) any heaving or putting at that place, upon mine honesty and troth my spirit is not in it nor with it; I for my part being absolutely resolved not to proceed one pace or degree in this matter but with your Lordship's foreknowledge and approbation. The truth of which protestation will best appear, if by any accident, which I look not for, I shall

[1] *succeed me in that* in MS.

receive any further strength. For, as I now am, your Lordship may impute it only to policy alone in me, that being without present hope myself, I could be content the matter sleep.

My third humble petition to your Lordship is, that you would believe an intelligence, and not take it for a fiction in court; of which manner I like Cicero's speech well, who, writing to Appius Claudius, saith; *Sin autem quæ tibi ipsi in mentem veniant, ea aliis tribuere soles, inducis genus sermonis in amicitiam minime liberale.* But I do assure your Lordship it is both true and fresh, and from a person of that sort, as having some glimpse of it before I now rest fully confirmed in it: and it is this, that there should be a plot laid of some strength between Mr. Attorney-General and Mr. Attorney of the Wards, for the one's remove to the Rolls and the other to be drawn to his place. Which, to be plain with your Lordship, I do apprehend much. For first, I know Mr. Attorney-General, whatsoever he pretendeth or protesteth to your Lordship or any other, doth seek it; and I perceive well by his dealing towards his best friends to whom he oweth most, how perfectly he hath conned the adage of *proximus egomet mihi:* and then I see no man ripened for the place of the Rolls in competition with Mr. Attorney-General. And lastly, Mr. Attorney of the Wards being noted for a pregnant and stirring man, the objection of any hurt her Majesty's business may receive in her causes by the drawing up of Mr. Attorney-General will wax cold. And yet nevertheless, if it may please your Lordship to pardon me so to say, of the second of those placings I think much scorn; only I commend the knowledge hereof to your Honour's wisdom, as a matter not to be neglected.

And now lastly, my right honourable good Lord, for my third poor help, I account [it] will do me small good, except there be a heave; and that is this place of the Star Chamber. I do confess ingenuously to your Lordship, out of my love to the public besides my particular, that I am of opinion that rules without examples will do little good, at least not to continue; but that there is such a concordance between the time to come and the time past, as there will be no reforming the one without informing of the other. And I will not, as the proverb is, spit against the wind, but yield so far to a general opinion, as there was never a more particular example. But I submit it wholly to your honourable grave consideration; only I humbly pray you to

conceive that it is not any money that I have borrowed of Mr. Mills, nor any gratification I receive for my aid, that makes me show myself any ways in it; but simply a desire to preserve the rights of the office, as far as it is meet and incorrupt; and secondly his importunity; who nevertheless, as far as I see, taketh a course to bring this matter in question to his further disadvantage, and to be principal in his own harm. But if it be true that I have heard of more than one or two, that besides this forerunning in taking of fees, there are other deeper corruptions which in an ordinary course are intended to be proved against him; surely, for my part, I am not so superstitious as I will take any shadow of it, nor labour to stop it, since it is a thing medicinable for the office of the realm. And then if the place by such an occasion or otherwise should come in possession, the better to testify my affection to your Lordship, I should be glad, as I offered it to your Lordship afore by way of[1] so in this case to offer it by way of joint patentey, in nature of a reversion: which, as it is now, there wanteth no goodwill in me to offer, but that both in that condition it is not worth the offering, and besides I know not whether my necessity may enforce me to sell it away; which, if it were locked in by any reversion or joint-patentey, I were disabled to do for my relief.

Thus your Lordship may perceive how assured a persuasion I have of your love towards me and care of me, which hath made me as freely to communicate of my poor state with your Lordship, as I could have done to my honourable father, if he had lived: which I most humbly pray your Lordship may be private to yourself, to whom I commit it to be used to such purpose as in your wisdom and honourable love and favour should seem good. And so humbly craving pardon, I commend your Lordship to the Divine preservation.

At your Lordship's honourable commandment,

humbly and particularly.

4.

Hitherto, it seems the question had been merely what fees were and what were not legitimate; a question referred to the Lord Keeper, and one in which Bacon was interested only as holding the reversion

[1] Blank left in MS.

of the place. But Mill was threatened with other charges of a graver character, "which in an ordinary course were intended to be proved against him;" and the inquiry into those might entail the forfeiture of the office. This would in some degree alter Bacon's position; for the reversion would in that case be more valuable. It would also alter the position of the Lord Keeper, supposing the charges to come within his jurisdiction: for if the reversion were to be surrendered to his son, objection might be taken to his acting as judge in the cause upon the decision of which the forfeiture depended. This change in their relative positions did, I imagine, take place shortly after the last letter was written; and to this the next has reference. Bacon evidently anticipated the objection, though, as far as he was himself concerned, he had no wish to retract his former offer.

To the Lord Keeper.[1]

It may please your honourable good Lordship,

As I began by letter, so I have thought good to go on, signifying to your Lordship, with reference had to my former letter, that I am the same man and bear the same mind and am ready to perform and make good what I have written, desiring your Lordship not only to discern of this my intention, howsoever in other circumstances concerning the quick and not the impostume of the office I may seem to stand; but also to think that I had considered and digested with myself how I mought put in execution my purpose of good will to be carried without all note, as first to a deputation in some apt person your Lordship mought choose, and so to a passing over to such depute, and then a name in the next degree is soon changed. All which I do now write, both lest your Lordship mought conceive any alteration or inconstancy in me, and also that you mought think that I had sufficient regard to all bye matters of discretion before I would expound anything to a person of such honour. I am assured the matter is *bonum in se*, and therefore accidents may be accommodate. So in most humble manner I take my leave, commending your Lordship to God's preservation. From Gray's Inn, this 12th of Nov., 1597.

Humbly at your Lordship's honourable commandments,

Fr. Bacon.

[1] Bridgwater House MSS. Vol. 11. No. 17**. Original; own hand.

5.

Who was the mover of the inquiry does not appear; probably some suitor who had been aggrieved by overcharges; but the complaint afterwards took the form of a bill exhibited against Mill in the Star Chamber: the consideration of which was by the Queen referred to Egerton, Buckhurst, Cecil, Fortescue, and Popham; and the end was that the complaints were dismissed, the proceedings cancelled, and the Commissioners ordered to settle what fees, etc., were fit to be allowed in future, and "the same to confirm unto the said William Mill."[1] This however was not till February, 1600-1. The two following letters, relating to some of the intermediate stages of the business, though a little out of chronological order, may as well be added here.

The first explains itself. For the second (which has no date), I am by no means certain even that it relates to this subject; but I do not know of any other which the allusions seem so easily to fit. The "offers of composition" I suppose to be proposals made to Bacon by the prosecuting party to buy off the prosecution. Having a pecuniary interest in the maintenance of the fees which were attacked, it might be hoped that he would be willing to pay for having them let alone.

To the Lord Keeper.[2]

It may pleasc your right honourable good Lordship,

I have understood that your Lordship hath an intention to reduce the office of Clerk of the Star Chamber to the just and lawful fees, and to purge it of the exactions newly imposed, and I was advised by a wisc fricnd to desire humbly of your Lordship to be called unto it. But truly, my good Lord, I am determined not to meddle in it. First, because my time is not yet come in presence, at least for anything doth yet judicially appear. Next, becausc I trust your Lordship's judgment better than mine own; and sure I am, as long as it is in your hands, *terminus antiquus non movebitur*. Lastly, because looking into the matter

[1] 1st February, 1600-1. Egerton Papers, p. 316. It was probably about the appointment of these commissioners that the Queen was speaking to Bacon on the following occasion—I suppose in the autumn of 1597. "Mr. Bacon, after he had been vehement in Parliament against depopulation and enclosures" [concerning which see below, p. 82], "and that soon after the Queen told him that she had referred the hearing of Mr. Mill's cause to certain counsellors and judges, and asked him how he liked of it, answered, 'Oh Madam, my mind is known; I am against all enclosures, but especially against enclosed justice.'"—Works, VII. p. 169.

[2] Bridgwater House MSS. Vol. 11. No. 17***. Original; own hand.

at first, and since better informing myself, I find the ground too watery for me or any other to stand upon. And therefore as at first I always protested to sever myself from anything that was unjust, so the same course I hold still, ever desiring your Lordship as I have heretofore done that in safting this unlawful prize, no lawful fraught may be prejudiced, which I know perfitly your Lordship will do; and to your Lordship I wholly leave it. So I commend your good Lordship to the preservation of the Divine Majesty. From Gray's Inn, this 22nd of Jan., 1597.

At your Lordship's honourable commandments,

Very humbly and particularly,

Fr. Bacon.

To the Queen.[1]

It may please your sacred Majesty,

I would not fail to give your Majesty my most humble and due thanks for your royal choice of such commissioners in the great Star Chamber cause; being persons, besides their honour, of such science and integrity. By whose report I doubt not but your Majesty will find that which you have been heretofore informed (both by my Lord Keeper and by some much meaner person) touching the nature of that cause, to be true. This preparatory hearing doth already assail me with new and enlarged offers of composition; which if I had borne a mind to have hearkened unto, this matter had been quenched long ago, without any benefit to your Majesty. But your Majesty's benefit is to me in greater regard than mine own particular: trusting to your Majesty's gracious disposition and royal word, that your Majesty will include me in any extraordinary course of your sovereign pleasure, which your Majesty shall like to take in this cause. The other man I spoke to your Majesty of, may within these two terms be in the same straits between your Majesty's justice and mercy that this man now is, if your Majesty be so pleased. So most humbly craving pardon for my presuming to seek access for these few lines, I recommend your Majesty to the most precious custody and best preservation of the Divine Majesty.

Your Majesty's most humble,

And entirely obedient servant and subject.

[1] Resuscitatio, Supplement, p. 93.

6.

While these private cares were occupying Bacon at home, the great expedition had set forth;—not however on this occasion with happy winds, nor in token of happy adventures. Of the last adventure of the kind, Bacon had been "infinitely glad—now that it was past." No such consolation was reserved for him here. If he thought, as I suppose he did, that Essex was not the man for such enterprises, and that his fortunes would one day be shipwrecked in them, everything that happened in the course of this new voyage must have tended to confirm him in his judgment.

The frustration of the original design was indeed due simply to weather, and could not have been helped. The fleet, dispersed and disabled by a storm, and driven back to Plymouth to refit, was found to be too much reduced in strength for an attempt upon the Armada collected at Ferrol. But it was thought that they were still strong enough to intercept the Indian treasure on its homeward voyage; and upon an attentive study of the confused and unsatisfactory narrative, drawn by Essex and signed by all the commanders, which passes for the official report, it is difficult not to think that the attempt failed merely for want of ordinary judgment in the conduct of it. Last year, after the successful attack on Cadiz, Essex had proposed to sail to Terceira and capture the Indian fleet, but was overruled by his colleagues; and when it was found that, within a day or two after his proposition had been rejected, the fleet in question sailed quietly into the Tagus, everybody said it was a prize lost by ill counsel—it must have been taken if his advice had been followed. On this occasion he had no council to hamper his movements—no weather to baffle them. He sailed to the Azores, where the homeward fleet was sure to touch, for the special purpose of intercepting it—an enterprise certainly not made more difficult by the absence of the Adelantado, whom he expected to find there before him. It arrived at the expected season in the expected place; was met with by some ships of his own squadron, who fired guns and carried lights all night to give notice of it. Yet not a ship was taken or damaged, except three or four stragglers that had got separated from the main body.

He said afterwards—and no doubt thought—that it was only by a very unfortunate accident that he was prevented from taking them all—the accident of a false intelligence, which made him stand one night a contrary way.[1] But looking at his own story told at the time, it would rather seem that he was in fact indebted to the concurrence of three separate accidents—which, if any good had come of them, must

[1] Essex's Apology.

have been considered uncommonly fortunate—for the chance of taking one. The "contrary way" which he stood that night was the way which he was going; the "false intelligence" did not make him alter his course, only prevented him from altering it. *Why* he was going that way, is a question which modern historians and biographers do not seem to have asked themselves; and which the companions of his voyage, though they must have asked it with wonder, were evidently unable to answer. And as this is the first action of which he had the sole direction, it is worth while to examine it a little more closely; for in order to understand Bacon's relations with Essex, it is indispensable to understand Essex himself.

As soon as he arrived at the Azores he ascertained that the Adelantado was not there, and that Terceira, which was the Spanish stronghold in those islands, was too strong to be attempted with the force he had. The one considerable service which remained for him therefore, was to intercept the fleet of treasure which was expected from the Indies, but was detained as yet by contrary winds. His first proceeding was obvious and natural; he passed through the group of islands to Flores, the westernmost of them, took in water and stores, and waited some ten days; when he was joined by Ralegh with thirty other ships, which had been separated by weather off the coast of Spain. At that time the wind changed.[1] If the fleet was coming at all therefore, now was the time to look out for it. And the object being to prevent it from getting under the batteries of Terceira,—the only place in the islands where it could not be attacked,—it would seem to have been above all things desirable to keep the body of the fleet in a position to command that passage. Yet it was precisely at this juncture, and with the wind N.N.W., that Essex ordered his whole force to *St. Michael's*, of all places—an island lying both southward and eastward of Terceira: his reason—the only reason he gives—being, that "he was told by a small pinnace come from the Indies, that it was doubtful whether the Indian fleet came from thence or not: and if they did, they would change their usual course and come in some height [*i.e.* latitude] more to the southward, till they were passed these islands, where usually they are attended." Which information (he proceeds) "made us resolve in council to go for Fayal, and so for St. Michael; and to have some nimble ships to lie off and on at sea both to the southward and the northward."

If the movement had been only to *Fayal*, which was the most central position on the western side of the group, and in nearly the same latitude with Terceira, it would have been judicious, and would in

[1] "As yet the wind has been contrary for all Indian fleets; but now it is good." —Essex to Cecil, 16th September, 'Lives of the Earls of Essex,' i. p. 456.

fact have met with the success it deserved. But if the Spaniards themselves had had the disposition of the English fleet, they could not have done better than order it to St. Michael's. Much has been said of Essex's ill luck in so narrowly missing his prize: but his ill luck was all of his own choosing. Luck struggled hard on his side. For what happened? While he was on his way "towards St. Michael's,"—but still, it seems, on the north-west of Terceira,—hearing that a great ship had been seen off Graciosa (in the neighbourhood of which he must then have been) moving westward, he immediately prepared to form his fleet in three divisions,—one to go round Terceira by the north, another by the south, and a third to ply westward, and so cut her off from Fayal if she should make thither. By this disposition he made sure of intercepting her before she could gain a place of refuge; and the occasion came opportunely to warn him against taking a course in which such a disposition would become impracticable. But it seems he was so bent upon St. Michael's that nothing less than the immediate prospect of a prize could divert him from it. For being told, while he was giving the orders for this movement, that the ship had been followed and proved to be an English pinnace, he forthwith countermanded his directions and proceeded on his former course, followed (as he thought) by all the fleet; proceeded (that is) to a position from which, while the wind continued in its present quarter, it would be impossible to intercept the passage either to Terceira or Fayal: so that if the treasure-fleet were coming by the usual route, it had nothing to do but sail quietly under the batteries while his back was turned. And if all had gone as he intended, not a ship would have been taken or molested. For, as if to be sooner out of their way, he shaped his course to St. Michael's by the *north* side of Terceira, so as not even to cross their line of passage.[1]

But here accident interposed in his favour again. For it so happened that the person who was charged with the order for the movement which was so suddenly countermanded, being I suppose dull of hearing, made *two* extraordinary mistakes; "mishearing" the effect of the first order, and not hearing the countermand at all: the consequence of all which was that four ships stood about to the westward by themselves, while the Admiral with the rest of the fleet sailed away due east, quite unconscious of the fact. These four ships being thus by mistake sent in the direction in which the treasure-fleet was most likely to be met, did that very night (and no wonder) fall in with a fleet of twenty-five sail, among which were some sixteen richly laden carracks. But accident could do no more when design was so

[1] Monson, p. 36.

deliberately adverse. The four ships by themselves were not strong enough to stop them: and it was in vain that they burned lights and fired guns for help—the Admiral being by this time far out of sight and hearing, and (which made it worse) far to leeward. So that by the time he heard the news the fleet was safe under the batteries; and it still took him three days to weather the point, and ascertain by inspection that he could not help it.

After all however, luck did something for him; for it was in this fruitless endeavour to intercept the main body that he fell in with three stragglers, which having already struck to Ralegh, he sent his own boats to take possession of, and which proved a good prize; the only prize of the voyage worth mentioning.

Had this been anybody's account of the matter but his own, I should not have believed it, the proceeding seems so unaccountable. Being his own,[1] we must at least suppose that he wished it to pass for the true account; and that if his course admits of any other explanation, it was one which he could not so conveniently avow. We know however that it is at least a very *imperfect* account, and putting

[1] It is so strange, that the reader may like to see his own words; the rather because his latest biographer, quoting the greater part of the report, omits this part altogether.

"In our passage by saile [qy. Fayal] Graciosa and Pico, we took such commodities and refreshings as those islands afforded. And in passing from them toward St. Michael, we were told that a great ship was discovered off of Graciosa: whereupon I, the General, gave order to divide and to direct the fleet into three places: the one to steer away E.N.E., and to go about the north side of Terceira; the other E.S.E., and to go by the south side of the said island: and both to meet in the road of Brazil; so as if the caracks or the West India fleet should strive to recover Terceira they should be cut off; and the third part of the fleet should ply to the westward, which way it was said that the great ship stood, and so to cut it off if it sought the road of Fayal: which, if she were kept from Terceira, was her only place she could put into: and one of these three ways she must needs stand, for the wind being at NNW. she could not go but one of these three courses.

"But, as I had given this direction, there came to me a small bark of Lime, whose captain did confidently assure me that he was the man that did follow the chase, and fetched it up, finding it but a small ship of our own fleet: which made us resolve to continue our former intended course for St. Michael. But in this mean time, I, the General, hailing the captain of a pinnace, and willing him to call to the ships of my squadron to follow my light, and those of the Vice-Admiral's squadron to follow his light to the westward (which direction I did presently after countermand), he misheard, and willed some ships that were next to stand about to the westward: which direction, together with his not hearing of me that which was spoken to countermand it, made four of her Majesty's ships, the 'Garland,' the 'Mary Rose,' the Dreadnought,' and the 'Rainbow,' to stand off to the west all that night. Of which, Sir W. Mounson, in the 'Rainbow,' fell in the night with the West Indian fleet. . . . Whereupon the other three of her Majesty's ships stood off with him, but could not fetch up the Spaniards till they were gotten into Terceira road: before which, after they had strived in vain to get in to them, they plied till my coming, which was three days after; for I was hard aboard the westernmost part of St. Michael, before I heard these news."—Purchas, iv. p. 1936.

For the proceedings of Ralegh, see Sir Arthur Gorge's narrative (p. 1938), who was captain of Ralegh's ship. Those of Sir W. Monson in the 'Rainbow,' and Sir Charles Vere in the 'Mary Rose,' have been very well told by themselves.

the facts omitted and the fact of their omission together, we may, I think, make it a little more intelligible.

Essex, it must be remembered, had had no experience in this kind of service. He had all his mistakes to make; and being naturally impatient, impetuous, and over-confident,—though at the same time (according to Sir W. Monson, whom I can very well believe) "of a flexible nature to be overruled,"—they would doubtless be many. The principal objects with which he undertook the expedition had all failed. The Spanish fleet, while it remained at Ferrol, was unassailable. If it had gone to the Azores, as reported, he might do something with it there: but it had not gone: so that chance was cut off. Could he take Terceira? No, it was too strong. Could he intercept the treasure? Yes: if it came; but *was* it coming? And if not, what then? He might sack the other islands, and so secure a little plunder, a few prisoners, and perhaps some glory. It would be of no real use; but might yield something to talk of; it was what the soldiers about him wished for; and it would sound better than nothing; which was the alternative. In this state of mind he waited at Flores till he was tired of waiting. He began to fear that the homeward fleet was not coming. The first ship which came with the change of wind from that quarter brought no tidings of it: perhaps it would come another way. It was absolutely necessary to do something. Now a plan had been already arranged for "taking in" the islands, as they called it: one division was to attack St. Michael, another Pico, another Graciosa, another Fayal. The last, which was the nearest, he was to undertake himself; with the assistance of Ralegh, should he arrive in time. This plan, *as originally designed*, was probably intended to *combine* with the main object of intercepting the treasure. Three parts of the fleet would still be to windward of the passage to Terceira, and though they could not be so ready in that case to give chase upon the instant as they should have been, still they were in the way and would have their chance. And this plan it was resolved to carry into effect at once: for when Ralegh arrived at Flores, he was ordered not to stay to take in water, but to follow the Admiral at once to Fayal. This order was given on the 16th of September. It seems however that something came across Essex the same day, and changed or interrupted his purpose: for when Ralegh arrived at Fayal the same evening, he found there neither Admiral nor Vice-Admiral, nor any news of them. And they did not arrive till the 22nd.[1] What they had been doing in the interval is not hinted either in the official report, or in Essex's Apology, or in any other account of the voyage that I have met with; but I

[1] See Sir Arthur Gorge's narrative, printed in Purchas.

suppose they had heard of a sail seen somewhere, and had gone suddenly off in pursuit—forgetting to send word of it to the other squadron.

However that may be, they were not to be found or heard of. And an affair happened in consequence, which, though not mentioned in the official report, I take to be the real explanation of the resolution taken shortly after, and otherwise so unaccountable, to proceed with the whole fleet to St. Michael's.

Ralegh was Rear-Admiral. He had been ordered to Fayal to assist in an attack upon the island; and had been told that he need not stay to water at Flores, because he could get what he wanted there. He was in great want of water; but found that he could not land without opposition. After waiting four days, and receiving no tidings or instructions, he determined to force a landing. Which he did; and, one thing leading to another, he followed his fortune, and succeeded in taking the town. So that when Essex arrived, he found that part of his work nearly completed, and everything ready for an attack upon the high fort, which was still in the hands of the enemy. This was so much gained. But it involved the loss of one thing which unfortunately he valued more. He might take possession of the island in the Queen's name and carry off whatever was worth taking: but he could not carry off the glory of it. The credit of the achievement was not transferable, and must go to another. This touched Essex's worst weakness: a weakness which was increasing upon him, and not only marring his work but degrading his character. His old ambition to outstrip competitors in the race of glory—an ambition not incompatible with magnanimity—was fast degenerating into intolerance of competition—a vice with which magnanimity can have nothing to do. It was not enough to win, unless the credit of winning were his own, and his own only. He had already in the course of this very service shown symptoms of the disease. Though he had been on friendly terms with Ralegh ever since it was settled that he should have the sole command himself, he had shown himself extremely apprehensive lest he should find an opportunity for individual distinction. When Ralegh was separated from the fleet off Spain by the breaking of his mainyard, and on repairing to the appointed rendezvous could hear no tidings of the Admiral, but was joined by several other ships that had in like manner parted company, Essex was easily persuaded that he was keeping away on purpose that he might do some work on his own account. And now that accident had presented him (being again at the appointed rendezvous and again without tidings of the Admiral) with an opportunity of doing by himself the very service which he had

been ordered thither to assist in, Essex was hardly persuaded to let him off without trial upon a capital charge. Not that he had failed. Not that by premature action he had marred any one object of the voyage. Not that what remained to be done could not be done more easily than if he had rested inactive. But he had won a little glory, which would otherwise have fallen to the commander-in-chief. For this offence it was said the proper punishment was nothing less than death. And it seems that it was ultimately passed over upon a very strange condition. Ralegh had not only to apologize for the error, but to resign the glory: which, as it could not be transferred, was to be cancelled. Such at least I infer to have been the terms upon which peace was made, from the singular fact, that in the official report of the voyage, signed by all the commanders, this particular action—the taking of Fayal—though by far the most remarkable feat performed, and really a gallant one had the object been adequate, is not mentioned or alluded to.

While such humours reigned, it is not strange if foolish things were done; and I cannot help suspecting that impatience to eclipse the capture of Fayal was the true motive of the voyage to St. Michael's, and that the poor success of that enterprise was the real reason why the first action was suppressed in the narrative and the last unexplained. Effectual precautions were taken on this occasion to exclude Ralegh from all share in the expected glory; but unfortunately the glory did not come.

But though fortune did not favour Essex in this particular, she was still to interfere most signally in his behalf in a matter of much more importance. Where was the fleet of Ferrol all this time? Finding that it had not gone to the Azores, he inferred that it would stay where it was.[1] It does not seem to have occurred to him that though the Adelantado would not come out in face of an English fleet newly equipped to engage him, he might come out well enough when that fleet was in the middle of the Atlantic. Why he did not start sooner, is I suppose to be explained by the proverbial slowness of Spanish movements; for from the middle of September to nearly the end of October, he had the Channel to himself. But what actually happened, and how little it was owing to good management that England escaped that autumn a great disaster, I cannot better explain than in the words of Sir William Monson, one of the captains of the voyage.

"The Spaniards, who presumed more upon their advantages than their valours, thought themselves in too weak a condition to follow us to the

[1] "We have missed of the Adelantado, *who will not leave Ferrol this year.*"—Essex to Cecil, 16th September, 'Lives of the Earls of Essex,' i. p. 456.

islands, and put their fortunes upon a day's service; but subtilly devised how to intercept us as we came home, when we had least thought or suspicion of them; and their fleet, that was all the while in the Groyne and Ferrol, not daring to put forwards while they knew ours to be upon the coast, their General the Adelantada came for England, with a resolution to land at Falmouth and fortify it, and afterwards with their ships to keep the sea, and expect our coming home scattered.

Having thus cut off our sea forces, and possessing the harbour of Falmouth, they thought with a second supply of thirty-seven Levantiscos ships, which the Marquis Arumbullo commanded, to have returned and gained a good footing in England.

These designs of theirs were not foreseen by us: for we came home scattered, as they made reckoning, not twenty in number together.

We may say, and that truly, that God fought for us: for the Adelantada being within a few leagues of the island of Scilly, he commanded all his captains on board him to receive his directions; but whilst they were in consultation, a violent storm took them at east, insomuch that the captains could hardly recover their ships, but in no case were able to save their boats, the storm continued so furious, and happy was he that could recover home, seeing their design thus overthrown by the loss of their boats, whereby their means of landing was taken away. Some who were willing to stay and receive the further commands of the General kept the seas so long upon our coast, that in the end they were taken; others put themselves into our harbours for refuge and succour; and it is certainly known that in this voyage the Spaniards lost eighteen ships, the 'St. Luke' and the 'St. Bartholomew' being two, and in the rank of his best galleons.

We must ascribe this success to God only: for certainly the enemies' designs were dangerous, and not to be diverted by our force; but by his will who would not suffer the Spaniards in any of their attempts to set footing in England, as we have done in all the quarters of Spain, Portugal, the Islands, and both the Indies."[1]

It was near the end of October when the fleet arrived, and found all the south coast in great alarm, and the danger not yet over. The necessity of making ready for fresh action postponed all else for the time, and I am not aware that the conduct of the voyage was ever made the subject of a formal investigation. It was rumoured however in Court that the Queen was not well pleased with Essex, either for his management of the business or for his treatment of Ralegh; and that he was already (5th November) acting the injured man.[2] If to his many great gifts there had but been added the gift of profiting by his own errors in the knowledge of himself, the result of the enterprise, though worthless enough to the country, might

[1] A true and exact account of the Wars with Spain in the reign of Queen Elizabeth of famous memory, by Sir William Monson, p. 38.

[2] Sydney Papers.

have been of infinite value to him. But that gift was wanting. He appears to have been just as popular as ever, and not at all wiser. Still ready to find a personal grievance in every smile bestowed on a rival, whether friend or enemy, he had many grievances at this time to digest. These I shall have to refer to hereafter; but as I find no record of any meeting or other communication at this time between him Bacon, who was now deeply engaged in the business of the new Parliament which had just met, I must now give some account of that.

CHAPTER IV.

A.D. 1597–8. ÆTAT. 37.

1.

Queen Elizabeth's courage was of that rare temper which can rise even into passion without disturbing the judgment. Being unconscious of fear, she had no need to prove her valour either to herself or others by facing danger, and could the more steadily see and avoid it. When she saw symptoms of mutiny in the House of Commons, and the issue doubtful or the struggle inconvenient, though she stood her ground while the dispute lasted, she took care that the occasion should not arise again. And therefore although the most important business of the new Parliament was much like that of the last, and the circumstances not materially different, we hear nothing this time of any attempt in the Upper House to dictate to the Lower, of any proposal for joint deliberation on questions of supply, of any warnings from the Throne not to waste time in speeches or meddle with ecclesiastical causes, or of any intimation that they were not called to make new laws. On the contrary, to consider the state of the laws was represented as their proper business; and if provision for the defence of the kingdom was the first thing to be thought of, it was only because, if that were neglected, laws were made in vain. "And whereas" (said the Lord Keeper, in terms which Bacon must have entirely approved) "the number of laws already made is very great, some of them being obsolete and worn out of use, others idle and vain, serving to no purpose; some again overheavy and too severe for the offence, others too loose and slack for the faults they are to punish, and many so full of difficulty to be understood, that they cause many controversies and much difficulty to arise amongst the subjects; therefore you are to enter into a due consideration of the laws, and where you find superfluity to prune and cut off, where defect to supply, and where ambiguity to explain; that they be not burdensome but profitable to the commonwealth. Which being a service of importance and very needful to be required, yet as nothing is to be regarded if due mean be not had to withstand the malice and the force of those professed

enemies which seek the destruction of the whole state, this before all and above all is to be thought of," etc.[1] And so he proceeds to speak generally of the necessity of aids and subsidies. Nothing was said of any immediate alarm, though this was spoken on the 24th of October, while the Spanish fleet was still hovering about the coasts, and our own not yet returned. And so little appearance was there of hurry, anxiety, or impatience, that immediately after the presentation of the Speaker on the 27th, the Houses were adjourned by the Queen's command till the 5th of November. Nor was it till ten days after that, that any motion was made on the subject of supply. All the principal commonwealth bills had precedence. The way was led by a bill against forestallers and regrators, those ancient and unconquerable offenders, with whom the legislature was still waging an ineffectual war. Then followed a motion against enclosures and depopulation, and for the maintenance of husbandry and tillage—a measure then very popular, of which I shall speak further presently. Then questions of privileges and returns—the House's own special business. Next day (Monday, 7th November) came a bill to take away benefit of clergy in cases of abduction of women, and a motion "touching sundry enormities growing by patents of privilege and monopolies;" which was renewed the next day, and discussed several times afterwards, without any intimation that it was an interference with the prerogative. On the 8th came a motion for the relief of the people from the obligation to keep certain kinds of armour and weapons, now obsolete. Then a motion "for the abridging and reforming of the excessive number of superfluous and burdensome penal laws." On the 10th a question was raised about certain abuses in the ecclesiastical courts—which called forth a message from the Queen, not now to imprison the member who made the motion or to forbid the Speaker to read the bill, but to command the House to prosecute the inquiry. On the 11th a committee was appointed for continuance of statutes. On the 12th a bill was brought in for the increase of mariners and the maintenance of navigation. On the 14th a bill for the suppression of robberies, which had been brought in before but I do not know on what day, was thrown out upon the second reading. On the 15th a bill was introduced for extirpation of beggars. After which the Chancellor of the Exchequer moved for a committee to treat and consult concerning supply.

As nothing could be more decorous than the order of proceedings, so nothing could be more successful. All went smoothly. No difference arose which caused any embarrassment, either between the parties in either House, or between one House and the other, or be-

[1] D'Ewes, p. 524.

tween either of them and the Crown. An amount of supply, equal to that given by the last Parliament (which was greater than any Parliament had given before), was voted without a dissentient voice.

The laws which were passed bear the impress of the time, both in the matters dealt with and the mode of dealing. But they were all framed, according to the best political economy of the day, either to check the diseases or to improve the general health of society. How large a space in these deliberations was occupied by the great problem of the Relief of the Poor, may be inferred from the fact that on the 22nd of November eleven separate bills, all bearing upon that subject, were referred to the same committee; and if they did not succeed in settling the question for ever, they placed it on a footing on which it stood for nearly two hundred and fifty years; and might have been standing now, if abuses had not crept into the administration of it for which its authors were not responsible; for the 43rd of Elizabeth, chap. 2, which has been called the "great charter of the poor, the first comprehensive measure of legal charity," is only the 39th of Elizabeth, chap. 3, continued, and improved in some details. In principle and in all its main features it is the same.

In this, as indeed in almost every measure of general policy discussed in this Parliament, Bacon appears to have been more or less engaged, for there is scarcely a committee-list in which his name does not appear. But the records are not full enough to show the part he took in the deliberations, except in three or four cases. The motion "for abridging and reforming the excessive number of superfluous and burdensome penal laws" was seconded by him, but appears to have dropped or merged in an ordinary "Continuance" Act. An Act for the "increase of mariners for the service and defence of the realm" led to conferences with the Lords, some of which were reported by him to the Commons. But in the acts for the prevention of enclosures and the maintenance of tillage he appears to have had the chief management; and a fragment of his introductory speech has been preserved. Of these measures it may be worth while to give a more particular account, the rather because the changes which have intervened, not only in opinion on such questions, but in the essential conditions of the case, make it difficult in these days to understand their true import.

They were meant to give effect to a measure introduced originally by Henry VII., and as Bacon himself in his later life drew attention to that measure as a specimen of profound legislation, and explained at large the objects, provisions, and operation of it, I cannot introduce the subject better than by quoting his remarks.

"Another statute was made of singular policy, for the population

apparently, and (if it be throughly considered) for the soldiery and militar forces of the realm. Enclosures at that time began to be more frequent, whereby arable land (which could not be manured without people and families) was turned into pasture, which was easily rid by a few herdsmen; and tenancies for years, lives, and at will (whereupon much of the yeomanry lived) were turned into demesnes. This bred a decay of people, and by consequence a decay of towns, churches, tithes, and the like. The King likewise knew full well, and in no wise forgot, that there ensued withal upon this a decay and diminution of subsidies and taxes; for the more gentlemen ever the lower books of subsidies. In remedying of this inconvenience, the King's wisdom was admirable, and the Parliament's at time. Enclosures they would not forbid, for that had been to forbid the improvement of the patrimony of the kingdom; nor tillage they would not compel, for that was to strive with nature and utility: but they took a course to take away depopulating enclosures and depopulating pasturage, and yet not that by name, or by any imperious express prohibition, but by consequence. The ordinance was, That all houses of husbandry that were used with twenty acres of ground and upwards, should be maintained and kept up for ever; together with a competent proportion of land to be used and occupied with them, and in nowise to be severed from them (as by another statute, made afterwards in his successor's time, was more fully declared): this upon forfeiture to be taken, not by way of popular action, but by seizure of the land itself by the king and lords of the fee, as to half the profits, till the houses and lands were restored. By this means, the houses being kept up did of necessity enforce a dweller; and the proportion of land for occupation being kept up did of necessity enforce that dweller not to be a beggar or cottager, but a man of some substance, that might keep hinds and servants and set the plough on going. This did wonderfully concern the might and mannerhood of the kingdom, to have farms as it were of a standard sufficient to maintain an able body out of penury, and did in effect amortise a great part of the lands of the kingdom unto the hold and occupation of the yeomanry or middle-people, of a condition between gentlemen and cottagers or peasants. Now how much this did advance the militar power of the kingdom is apparent by the true principles of war and the examples of other kingdoms. For it hath been held by the general opinion of men of best judgment in the wars (howsoever some few have varied, and that it may receive some distinction of case) that the principal strength of an army consisteth in the infantry or foot. And to make good infantry it requireth men bred not in a servile or indigent fashion, but in some free and plentiful manner. Therefore

if a state run most to noblemen and gentleman, and that the husbandmen or ploughmen be but as their workfolks or labourers, or else mere cottagers (which are but housed beggars), you may have a good cavalry, but never good stable bands of foot; like to coppice-woods that if you leave in them staddles too thick, they will run to bushes and briars and have little clean underwood. And this is to be seen in France and Italy (and some other parts abroad), where in effect all is noblesse or peasantry (I speak of people out of towns), and no middle people; and therefore no good forces of foot; insomuch as they are enforced to employ mercenary bands of Switzers (and the like) for their battalions of foot. Whereby it also comes to pass that these nations have much people and few soldiers. Whereas the King saw that contrariwise it would follow that England, though much less in territory, yet should have infinitely more soldiers of their native forces than those other nations have. Thus did the King secretly sow Hydra's teeth, whereupon (according to the poet's fiction) should rise up armed men for the service of this kingdom."[1]

Now when we remember that in those days there was no standing army, and that in case of war, either at home or abroad, success depended upon the fitness and readiness of the general population of the country to turn soldiers, we see that the keeping up of a supply of the stuff out of which soldiers are made was an object of primary national importance. It was also one which the legislature had to look after, for in the natural course of supply and demand it was sure to be left unprovided for. The wealth of the country—its total stock both of men and of the things men want—would I suppose have been increased rather than diminished by the process which was going on; the more luxuries the more labour; the more labour the more people; the more people the more food; and therefore the increase of provision for times of peace would have been best cared for by leaving each man to help himself according to his own appetite and means. Not so for times of war. That was a chance which neither the buyer nor the seller was providing for or thinking of. It did not concern them for the present; and to provide for the future, though it was all men's interest, was no man's business. Here therefore the legislature steps in, not to teach people how to get what they are all pursuing, but to prevent them from losing something, which when lost they will all feel the want of, but if left to themselves they will certainly let slip.

The difficulty, in this as in all such cases, was to enforce the provisions of a law made to counteract a natural tendency of civilization. In spite of Henry VII.'s Act, "sundry towns, parishes, and houses

[1] Hist. of Hen. VII., Works, vi. pp. 93–5.

of husbandry had of late years been destroyed and become desolate;"[1] and the conditions of the time being well fitted to remind statesmen of the importance of the policy, Bacon commenced the session with a motion for leave to bring in two bills on the subject. Of his speech we have only a meagre and obviously inaccurate report, little better I suspect than a string of fragments of sentences connected by transitional words to make them read grammatically. But it helps to show what he was about at this time.

Speech against Enclosures.

Mr. Bacon made a motion against depopulation of towns and houses of husbandry, and for the maintenance of husbandry and tillage. And to this purpose he brought in two bills, as he termed it, not drawn with polished pen but with a polished heart, free from affection and affectation. And because former laws are medicines of our understanding, he said he had perused the preambles of former statutes, and by them did see the inconveniences of this matter, being then scarce out of the shell, to be now fully ripened. And he said that the overflowing of people here made a shrinking and abating elsewhere; and that these two mischiefs, though they be exceeding great, yet they seem the less, because *Quæ mala cum multis patimur leviora videntur.* And though it may be thought ill and very prejudicial to lords that have enclosed great grounds, and pulled down even whole towns, and converted them to sheep-pastures; yet considering the increase of people and the benefit of the commonwealth, I doubt not but every man will deem the revival of former moth-eaten laws in this point a praiseworthy thing. For in matters of policy ill is not to be thought ill which bringeth forth good. For enclosure of grounds brings depopulation, which brings forth first idleness, secondly decay of tillage, thirdly subversion of houses, and decrease of charity and charge to the poor's maintenance, fourthly the impoverishing the state of the realm. A law for the taking away of which inconveniences is not to be thought ill or hurtful unto the general state. And I should be sorry to see within this kingdom that piece of Ovid's verse prove true, "Jam seges est ubi Troja fuit;" so in England, instead of a whole town full of people, none but green fields, but a shepherd and a dog. The eye of experience is the sure eye, but the eye

[1] Preamble to the Act of 1597.

of wisdom is the quick-sighted eye; and by experience we daily see, *Nemo putat illud videri turpe quod sibi sit quæstuosum.* And therefore almost there is no conscience made in destroying the savour of our life, bread I mean, for *Panis sapor vitæ.* And therefore a sharp and vigorous law had need to be made against these viperous natures who fulfil the proverb *Si non posse quod vult, velle tamen quod potest;* which if it be made by us, and life given unto it by execution in our several countries, no doubt but they will prove laws tending to God's honour, the renown of her Majesty, the fame of this Parliament, and the everlasting good of this kingdom; and therefore I think worthy to be read and received.[1]

The notices of these bills in the Journals, as they passed through their several stages, show that Bacon was the chief manager of them, and that they were "well liked by the House;" but we have no particulars of the debates, nor is there anything in the acts themselves, so far as I can see, upon which it is worth while to dwell.

2.

Of the history of the Subsidy Bill, we learn from the Journals little more than that the first motion was made by the Chancellor of the Exchequer on the 15th of November; who stated that the Queen had been obliged to spend in the defence of the kingdom more than thrice the amount of the last grant;—that it was seconded by Sir Robert Cecil, who showed at large the designs and attempts of the King of Spain since the last Parliament;—that after speeches in support of it from Sir Edward Hoby and Mr. Francis Bacon, a committee was appointed; that upon their report, made on the 19th, the House agreed to a grant of three subsidies and six fifteenths and tenths, the same as was voted by the last Parliament, but payable this time in three years instead of four;—that on the 21st the articles were read, approved, and delivered to the Solicitor that he might "draw the book;"—that the Bill passed its first reading on the 7th of December, its second on the 10th, and its third on the 14th; that it met with no obstruction, and was presented to the Queen at the close of the session by the Speaker as a gift granted "I hope and think without the thought of a No; sure I am without the word of a No."[2] A fact from which we cannot I think infer less, than that the apprehensions entertained by Bacon with regard

[1] Hargrave MSS. 278. 311. A copy, scarcely differing from that in D'Ewes's Journals. But I prefer the MS., as standing probably one degree nearer to the original.

[2] D'Ewes, p. 574.

to the bill of 1593 had not been justified by the event, and that the people had been found well enough able to bear the double payment. If it had caused any material discontent in the country, it is hardly conceivable that there should have been *no* member in the House to represent that discontent.

Of the speech which Bacon made on the motion for the Committee we are fortunate in having a report preserved by himself. Whether this and others similarly preserved were taken from the draft prepared beforehand of what he intended to say, or from recollection set down afterwards of what he had said, we have I believe no means of knowing. In his later life it is known that he seldom did more than set down a few notes, from which he spoke extempore. And the fact that of the many speeches in Parliament which he made during Elizabeth's reign, many of them on subjects equally important, this is the only one of which he left a copy, makes me think that at this time he rarely prepared them in writing, and had not yet begun to take the trouble of setting them down from memory; but that this, being a kind of opening speech, and the occasion being important and delicate, he had written out at large, though he probably varied it in the delivery. However that may be, the manuscript still exists,—written in the hand of one of his servants, and carefully corrected in his own,—and as far as a speech written can represent the effect of a speech spoken, I do not doubt that it represents adequately his style of speaking in the House of Commons;—a style which, in addressing an audience seriously intent on the business in hand, I can well believe to have been very effective: all the more from the absence of brilliant passages.[1]

[1] Of the kind of resemblance which the notes of such speeches preserved in private memoranda of the debates bear to the speeches spoken, some notion may be formed by comparing the speech in the text with the following report of it in Hargrave MSS. 278. 314.

"Mr. Bacon made a motion touching the subsidy, and showed the great occasion the Queen had to be aided by her subjects, and alleged four principal causes to grant a subsidy. First, the French king's revolt. Secondly, the taking of Calais. Thirdly, the leading [bleeding?] ulcer of Ireland. Fourthly, the invasion of the Spaniards and provocation of sea-matters: the least of which will in expense ask more than the double we last gave.

"Notwithstanding we know we live in a government more happy because free from extreme and most indurcable (*sic*) taxes: the times being not to be compared to the time of Queen Mary, when every man was sworn to the utmost of his land and goods; nor yet to Edward the Third his time, in which every fourth part was given to the King, towards his conquest in France.

"Neither will I speak of the dangerous impositions of France; where 6*d*. was given for every chimney, and so every burying and christening and churching. All these are fitter for a regal than politic government; for an austere and strange-born conqueror than for a mild and natural queen. Only this, I lay but the project before you, lest the multitude of petty matters like a wall cover over this principal point which ought principally to be remembered for the safety of ourselves and the good of the state."

A Speech in the Parliament, Elizabeth 39, upon the Motion of Subsidy.[1]

And please you, Mr. Speaker, I must consider the time which is spent, but yet so as I must consider also the matter which is great. This great cause was at the first so materially and weightily propounded, and after in such sort persuaded and enforced, and by him that last spake so much time taken and yet to good purpose; as I shall speak at a great disadvantage. But because it hath been always used, and the mixture of this House doth so require it, that in causes of this nature there be some speech and opinion as well from persons of generality as by persons of authority, I will say somewhat and not much: wherein it shall not be fit for me to enter into or to insist upon secrets either of her Majesty's coffers or of her counsel; but my speech must be of a more vulgar nature.[2]

I will not enter, Mr. Speaker, into a laudative speech of the high and singular benefits which by her Majesty's most politic and happy government we receive, thereby to incite you to a retribution; partly because no breath of man can set them forth worthily; and partly because I know, her Majesty in her magnanimity[3] doth bestow her benefits like her freest patents *absque aliquo inde reddendo*, not looking for anything again (if it were in respect only of her particular) but love and loyalty.

Neither will I now at this time put the case of this realm of England too precisely how it standeth with the subject in point of payments to the Crown: though I could make it appear by demonstration (what opinion soever be conceived) that never subjects were partakers of greater freedom and ease; and that whether you look abroad into other countries at this present time, or look back to former times in this our own country, we shall find an exceeding difference in matter of taxes; which now I reserve to mention; not so much in doubt to acquaint your ears with foreign strains, or to dig up the sepulchres of buried

[1] Harl. MSS. 6842, fo. 132; a paper belonging apparently to the same collection of which the bulk will be found in vol. 6797.

[2] Originally, "must be like those propositions which when they are once demonstrated every man thinks he knows them before, though perchance knowing them he did not so observe them, or observing them he did not apply them so fully." Altered as in the text in Bacon's hand.

[3] Originally, "in her high magnanimity, which we in our humble and ground conceits cannot reach to measure."

and forgotten impositions, which in this case (as by way of comparison) it is necessary you understand; but because speech in the House is fit to persuade the general point, and particularity is more proper and seasonable for the committee.

Neither will I make any observations upon her Majesty's manner of expending and issuing treasure, being not upon excessive and exorbitant donatives, nor upon sumptuous and unnecessary triumphs, buildings, or like magnificence; but upon the preservation, protection, and honour of the realm: for I dare not scan upon her Majesty's actions, which it becometh me rather to admire in silence, than to gloss or discourse upon them.[1] Sure I am that the treasure that cometh from you to her Majesty is but as a vapour which riseth from the earth and gathereth into a cloud, and stayeth not there long, but upon the same earth it falleth again: and what if some drops of this do fall upon France or Flanders? It is like a sweet odour of honour and reputation to our nation throughout the world. But I will only insist upon the natural and inviolate law of preservation.

It is a truth, Mr. Speaker, and a familiar truth, that safety and preservation is to be preferred before benefit or increase, insomuch as those counsels which tend to preservation seem to be attended with necessity, whereas those deliberations which tend to benefit seem only accompanied with persuasion. And it is ever gains and no loss, when at the foot of the account there remains the purchase of safety. The prints of this are everywhere to be found. The patient will ever part with some of his blood to save and clear the rest. The seafaring man will in a storm cast over some of his goods to save and assure the rest. The husbandman will afford some foot of ground for his hedge and ditch to fortify and defend the rest. Why, Mr. Speaker, the disputer will if he be wise and cunning grant somewhat that seemeth to make against him, because he will keep himself within the strength of his opinion, and the better maintain the rest. But this place advertiseth me not to handle the matter in a commonplace. I will now deliver unto you that which upon a *probatum est* hath wrought upon myself, knowing your affections to be like mine own.[2]

[1] Originally, "to gloss upon, though with never so good a meaning." The last clause has a line drawn through it, but is restored in the margin by another and later hand. I think it was meant to be struck out.

[2] The last clause is inserted in the margin in Bacon's hand, and stands thus:

There hath fallen out since the last parliament four accidents or occurrents of state, things published and known to you all, by every one whereof it seemeth to me in my vulgar understanding that the danger of this realm is increased; which I speak not by way of apprehending fear, for I know I speak to English courages, but by way of pressing provision. For I do find, Mr. Speaker, that when kingdoms and states are entered into terms and resolutions of hostility one against the other, yet they are many times refrained from their attempts by four impediments.

The first is by this same *aliud agere;* when they have their hands full of other matter which they have embraced, and serveth for a diversion of their hostile purposes.

The next is when they want the commodity or opportunity of some places of near approach.

The third, when they have conceived an apprehension of the difficulty and churlishness of the enterprise, and that it is not prepared to their hand.

And the fourth is when a state through the age of the monarch groweth heavy and indisposed to actions of great peril and motion, and this dull humour is not sharpened nor inflamed by any provocations or scorns.

Now if it please you to examine whether by removing the impediments in these four kinds the danger be not grown so many degrees nearer us, by accidents, as I said, fresh and all dated since the last parliament.

Soon after the last parliament you may be pleased to remember how the French king revolted from his religion, whereby every man of common understanding may infer that the quarrel between France and Spain is more reconciliable, and a greater inclination of affairs to a peace than before: which supposed, it followeth Spain shall be more free to intend his malice against this realm.

Since the last parliament, it is also notorious in every man's knowledge and remembrance that the Spaniards have possessed themselves of that avenue and place of approach for England, which was never in the hands of any king of Spain before, and that is Calais; which in true reason and consideration of es-

"knowing yo^r affections to be like myne own yo^r judgm^ts," as if he had meant to add something more and been interrupted, the last words being written in great haste.

tate of what value or service it is I know not, but in common understanding it is a knocking at our doors.

Since the last parliament also that ulcer of Ireland, which indeed brake forth before, hath run on and raged more, which cannot but be a great attractive to the ambition of the counsel of Spain, who by former experience know of how tough a complexion this realm of England is to be assailed; and therefore (as rheums and fluxes of humours) is like to resort to that part which is weak and distempered.

And lastly, it is famous now, and so will be many ages hence, how by these two sea-journeys we have braved him and objected him to scorn, so that no blood can be so frozen or mortified but must needs take flames of revenge upon so mighty disgraces.

So as this concurrence of occurrents, all since our last assembly, some to deliver and free our enemy, some to advance and bring him on his way, some to tempt and allure him, some to spur on and provoke him, cannot but threaten an increase of our peril in great proportion.

Lastly, Mr. Speaker, I will but reduce to the memory of this house one other argument for ample and large providing and supplying treasure, and this it is:

I see men do with great alacrity and spirit proceed when they have obtained a course they long wished for and were refrained from. Myself can remember, both in this honourable assembly and in all other places of this realm, how forward and affectionate men were to have an invasive war. Then we would say, a defensive war was like eating and consuming interest, and needs would we be adventurers and assailants. *Habes quod tota mente petisti:* shall we not now make it good? especially when we have tasted so prosperous fruit of our desires.

The first of these expeditions invasive was achieved with great felicity, ravished a strong and famous port in the lap and bosom of their high countries, brought them to such despair as they fired themselves and their Indian fleet in sacrifice, as a good odour and incense unto God for the great and barbarous cruelties which they have committed upon the poor Indians, whither that fleet was sailing, disordered their reckonings, so as the next news we heard of was of nothing but protesting of bills and breaking credit.

The second journey was with notable resolution borne up

against weather and all difficulties, and besides the success in amusing him and putting him to infinite charge, sure I am it was like a Tartar's or Parthian's bow, which shooteth backward, and had a most strong and violent effect and operation both in France and Flanders, so that our neighbours and confederates have reaped the harvest of it, and while the life-blood of Spain went inward to the heart, the outward limbs and members trembled and could not resist. And lastly, we have a perfect account of all the noble and good blood that was carried forth, and of all our sea-walls and good shipping, without mortality of persons, wreck of vessels, or any manner of diminution. And these have been the happy effects of our so long and so much desired invasive war.

To conclude, Mr. Speaker, therefore I doubt not but every man will consent that our gift must bear these two marks and badges, the one of the danger of the realm by so great a proportion since the last parliament increased, the other of the satisfaction we receive in having obtained our so earnest and ardent desire of an invasive war.

2.

The Earl of Essex returned to Court from his island voyage on the 29th of October.[1] A week after, we hear that "for himself he is already disquieted, keeps in, and went not this day to the Parliament."[2] It was the beginning of another fit of discontent, which was to last nearly two months.

The reason was partly no doubt the reception which his last service met with from the Queen, who was (very naturally, I think) but ill satisfied with his management of it. But he had other griefs which he could still worse endure. In his absence Sir Robert Cecil had been made Chancellor of the Duchy of Lancaster; and on the 23rd of October, "as the Queen came from the chapel, she created my Lord Admiral Earl of Nottingham. . . . . Her Majesty made a speech unto him in acknowledgment of his services, and Mr. Secretary read the letters patents aloud, which were very honourable: all his great services recited in anno 88, and lately at Cales. He was to take his place *ut Comes de Nottingham*, for so were the words in his patent."[3] This Lord Admiral was Charles Baron Howard of Effingham; a man more than twice as old as Essex, who had never been

[1] Sydn. Pap. ii. 74. [2] Id. ib. [3] Id. ii. 70.

his enemy, who had done good service and held high offices in peace and war before Essex was a man, and was now too old for active work at sea.[1] It seems strange that a man who had any real nobleness of nature (as Essex certainly had) should have looked upon the honouring of such a person only as a wrong to himself: stranger still, that at the distance of two hundred and fifty years, admiring biographers should repeat the complaint and parade the injury, without seeing what an unworthy thing they are making of him. About the fact however I fear there is no doubt. Such imputations, when they only rest on popular report, I am apt enough to discredit. Friends as well as enemies impute to others the feelings which in like circumstances would have been their own. And the offence which Essex is reported to have taken at Sir Robert Cecil's appointment, has I dare say no better foundation. But in the case of the Lord Admiral the trial was harder and the evidence is more circumstantial. His elevation touched Essex personally in two points. The glory of the Cadiz action was regarded by him as his own exclusive property. It was true that Effingham, being commander-in-chief by sea, held an equal position: and in a victory by land and sea forces combined, the honour would naturally be shared equally by both: which the patent expressed.[2] Nevertheless, in popular opinion and in his own, Essex had been the sole hero of that victory; and all that the others had done was to hinder him from following it up by capturing the treasure-fleet on its return; so that to attribute to the Lord High Admiral a joint share in the action, was to cancel half his property in it. But besides this, the patent involved by consequence a question of precedency. By the 31 Hen. VIII. c. 10, certain officers, among whom was the Lord High Admiral, took precedence of all other personages of the same degree. Consequently the Lord High Admiral, who while he was a baron sat below the Earl of Essex, now that they were both earls, would sit above him. These indignities were too much for his spirit. He would not appear in Parliament, in Council, or in Court. On the Queen's Day (17th of November) he was reported to be very sick.[3] On the 30th he was still keeping aloof. On the 21st of December however we are told that "the gallant Earl doth now show himself in more public sort than he did: and

[1] "My Lord Admiral excusing himself from the journey" [that is, the last voyage], "by the indisposition of his body."—Essex's Apology.

[2] "Cum hoc elogio in honoris creationis litteris: illum Angliæ regnum in anno MDLXXXVIII victoria parta ab omni invasione Hispanica et periculi suspicione tutum reddidisse: atque etiam *conjunctim cum charissimo consanguineo nostro Roberto Comite Essexiæ*, fortiter et magnifice cepisse vi aperta Insulam et urbem de Cadiz, fortiter munitam in ulteriore Hispania; aliamque classem integram Regis Hispani in dicto portu paratam contra regnum nostrum totaliter expugnasse et destruxisse." —Camden, iii. 746.

[3] Letter from Burghley, printed in the 'Lives of the Earls of Essex,' i. p. 470.

he is purposed to have the patent of the late-created earl altered: who absolutely refuses to consent to it." "The Queen," it seems, "by this patience and long-suffering of my Lord Essex, was grown to consider and understand better the wrong done unto him." "I hear" (continues the same reporter, in the next paragraph of the same letter) "that my Lord Essex desires to have right done unto him, either by a commission to examine it, or by combat either against the Earl of Nottingham or any of his sons or of his name that will defend it. Or that her Majesty will please to see the wrong done unto him; and so will he suffer himself to be commanded by her as she please herself. Here is such ado about it, as it troubles this place and all other proceedings. Sir Walter Ralegh is employed by the Queen to end this quarrel and to make an atonement between them. But this is the resolution of Lord Essex, not to yield but with altering the patent, which cannot be done but by persuasion to bring the Earl of Nottingham unto it."[1]

I give the story in the words of the contemporary reporter (who writes simply and seriously, without any touch of irony), because it is difficult to tell it in one's own without some colour from the feeling which it excites. But that this was the real ground of offence seems indisputable,—especially when we correct the narrative by introducing a fact which the writer did not then know of,[2] but which supplies the true explanation of Essex's reappearance in public. Among the offices which gave precedence above all persons of equal degree, that of Earl Marshal came before that of Lord High Admiral. Now, on the 18th of December,—three days before,—Essex had been created by patent Earl Marshal of England:[3] and he was happy again.

3.

In Rawley's edition of Bacon's 'Collection of Apophthegms' (Resuscitatio, ed. 1661) we find the following anecdode:[4]—"A great officer at Court, when my Lord of Essex was first in trouble, and that he and those that dealt for him would talk much of my Lord's friends and of his enemies, answered one of them, *I will tell you, I know but one friend and one enemy my Lord hath: and that one friend is the Queen, and that one enemy is himself.*" The truth of the remark could not have been better illustrated than by these last quarrels and the issue of them. It must have been a very singular personal charm which in a temper and judgment like the Queen's

[1] Sydn. Pap. ii. 77.

[2] It is possible that the date of the letter (St. Thomas's Day, 1597) is the date of the postscript only. The part which I have quoted may have been written before. But the postscript shows that the writer had not then heard the news.

[3] Birch, ii. p. 365.

[4] See vol. vii. p. 167.

could so often prevail over such trials as he put them to. His last quarrel had made him Master of the Ordnance: this has made him Earl Marshal: the very offices which Bacon, in October, 1596, had tried to dissuade him from seeking, as being most likely to bring him into trouble. Judging indeed by the immediate event, it might seem that he knew best what he was about. But to those friends who had watched his proceedings in the meantime, it could only have been a respite from anxiety:—one more danger escaped;—one more chance of striking into a safer path.

Bacon, whom even the splendid success of Cadiz had not deceived into the belief that war was a fit vocation for him,—who had urged him to use that glory as an honourable resting-place, and to aspire after another kind of greatness,—could not be altered in opinion by the results of the island voyage. Another chance was now offered; and several accidents concurred to favour it.

Philip II. of Spain had begun to feel that he was dying, and was anxious to wind up his many businesses and transmit a settled kingdom to his son. Henry IV. of France was longing to give his kingdom rest after twelve years of war, and try his hand at the arts of peace. He had just retaken Amiens, and finding Philip willing to come to terms, was loath to forego so advantageous an opportunity. But his former necessities had involved him in alliances and obligations with England and the Netherland States, which gave them both a right to interfere. England, as far as she was herself concerned, might have been glad enough to join in a peace; for towards Spain she stood at advantage, while in Ireland she had a difficult business on hand. But she could not leave the States in the lurch, and Spain being released from France would be the harder to deal with. This made it necessary to send a first-rate ambassador to Henry, to represent her case and remind him of his engagements. On which mission Sir Robert Cecil was dispatched in the middle of February, 1597-8. In the meantime the affairs of Ireland had become very critical. The Earl of Tyrone,—a man of Irish genius improved by English cultivation;[1] a soldier of tried valour and full of resources, combining with shameless facility in breaking or evading promises past, an extraordinary power of inducing people to accept his promises for the future,—had now been for three years in open rebellion, suspended only by truces, which the government was at all times only too ready to grant for the purpose of hearing his grievances and his offers of submission. Certain arbitrary proceedings of Sir William Fitzwilliams, who was Lord Deputy from 1590 to

[1] "Lived sometimes in Ireland, and much in the Court of England."—Moryson's Itinerary, part ii. p. 7.

1594, supplied him with some plausible grounds of complaint and some colour for alleging fear of personal danger as his motive for taking up arms; upon which he was always ready with a case for the consideration of a new Lord Deputy, and for reference to the English Government. Sir John Norreys, the greatest soldier of his time, sent out as Lord General in 1595,—Sir W. Russell, with whom he did not well agree, being Lord Deputy,—after two years spent chiefly in fruitless negotiations, was by the appointment of a new Lord Deputy with supreme authority for war as well as peace superseded; and died soon after;—of a broken heart it was thought; of heart-disease likely enough; for brave men do die of that. Lord Burgh, by whom he was superseded, beginning with a resolution to listen to no treaties, but to march directly against the principal stronghold of the rebellion, died suddenly on the march; thus leaving another interregnum; of which Tyrone knew how to make use. The civil government being now (October, 1597) provisionally entrusted to two Lords Justices, and the command-in-chief of martial affairs to the Earl of Ormond, Tyrone opened afresh his old budget of grievances and promises, and was admitted to a meeting at Dundalk; where upon offers of submission, protestations of penitence, entreaties for pardon, etc., a truce of eight weeks dating from the 22nd of December was accorded, that his case might be laid before the Queen.

It was during this time I suppose, and while these matters were under consideration of the Council in England, that the next letter was written.

The Earl of Essex was now on good terms again with everybody. The Queen (at the instance, it was thought, of Sir Robert Cecil) had on the 10th of February, 1597-8, made him a present of £7000-worth of cochineal, part of the booty of the island voyage;[1] and on the 15th we hear of his "giving very diligent attendance upon the Queen, and in some sort taking upon him the dispatching of all business, in the absence of the Secretary, that concerns her Majesty's service."[2] This was exactly the position in which Bacon most wished to see him; and although Essex had begun to tire of asking counsel from one who was always advising him *not* to do the thing he was bent on doing, and had not of late consulted him as he used to do,[3]

[1] Sydn. Pap. ii. p. 89. [2] Id. ii. p. 91.

[3] The estrangement must have begun in the autumn of 1597, if Bacon's recollections seven or eight years after can be trusted for the dates. "This difference" (he says in his 'Apology') "in two points so main and material, bred in process of time a discontinuance of privateness (as it is the manner of men seldom to communicate when they think their courses are not approved) between his Lordship and myself, so as I was not called nor advised with for some year and a half before his Lordship's going into Ireland, as in former time." Essex arrived in Dublin on the 15th of April, 1599: about fourteen months after the date of the next letter.

—it seems that he now found or made an occasion to represent to him the value of the opportunity, and exhort him to improve it. The Irish difficulty, unfortunate in all other respects, might prove very fortunate for him if he could be induced to take it by the right handle—that is, to address himself earnestly to it in Council. Bacon had opened the matter to him in conversation; and now followed it up in a letter, which (like several others we shall meet with) has been preserved through two independent channels and in two different forms; one in the collection kept by himself, and printed by Rawley in the 'Resuscitatio:' the other in a collection made we do not know by whom, and printed very incorrectly in the 'Remains' (1648) and afterwards in the 'Cabala' (1654). The differences between the two copies, which are more and other than could have arisen from errors in transcription, may be accounted for in this way. I imagine that in writing letters of importance, Bacon made first a draft and then a fair copy; that in copying, alterations suggested themselves, which he did not at the time take the trouble to enter in the draft; and that his own collection was made from the drafts, while that in the 'Remains' was from the letters themselves that were sent. The differences are exactly such as would naturally arise under such a process, and therefore both versions are worth preserving; not indeed in the way they have been partly preserved in most of the modern editions, by taking one copy for the ground and incorporating into it any additional matter which is found in the other: whereby both are in fact misrepresented: but by giving one in the text, and so much of the other in the foot-notes as may put the reader in possession of all the variations which appear to be real variations, and not merely mistakes. I take Bacon's own copy, though I believe it to represent the less perfect form, for the text; because the other is so full of blunders. And as the representative of Bacon's copy, I take the manuscript in the British Museum, in preference to the 'Resuscitatio,' for reasons which I have already explained.[1] The copies in the 'Cabala' are much more correct than those in the 'Remains;' but I am inclined to think the corrections are merely conjectural.

A LETTER OF ADVICE TO THE EARL OF ESSEX, TO TAKE UPON HIM THE CARE OF IRISH CAUSES, WHEN MR. SECRETARY CECIL WAS IN FRANCE.[2]

My singular good Lord,

I do write, because I had no time fully to express my conceit

[1] See Vol. I. p. 233.

[2] Add. MSS. 5503, fo. 3.

to your Lordship[1] touching Irish affairs, considering them as they may concern your Lordship; knowing that you will consider them as they may concern the state. That it is one of the aptest particulars[2] for your Lordship to purchase honour upon, I am moved to think for three reasons. Because it is ingenerate in your house, in respect of my Lord your father's noble attempts: because of all the actions of state on foot at this time, the labour resteth most in that particular: and because the world will make a kind of comparison between those that have set it out of frame and those that shall bring it into frame: which kind of honour giveth the quickest kind of reflexion. The transferring this honour upon yourself consisteth in two points: the one, if the principal persons employed come in by you and depend upon you; the other, if your Lordship declare yourself and profess to have a care of that kingdom.[3] For the persons, it falleth out well that your Lordship hath had no interest in the persons of imputation. For neither Sir William Fitzwilliams nor Sir John Norris was yours. Sir William Russell was conceived yours, but was curbed. Sir Coniers Clifford (as I conceive it) dependeth on you, who is said to do well. And if my Lord of Ormond, in the interim, do accommodate things well (as it is said he doth), I take it he hath always had good understanding with your Lordship. So as all things hitherto are not only whole and entire, but of favourable aspect towards your Lordship, if hereafter you choose well.[4] Concerning the care of the business, the general and popular conceit hath been, that Irish causes have been much neglected; whereby the reputation of better care will put life into them.[5] But for a beginning and key to that which shall follow, it were good your Lordship would have some large and serious conference with Sir William Russell, Sir Richard Bingham, the Earl

[1] "Because I have not yet had time fully to express my conceit, nor now to attend you."—*Rem. and Cab.*

[2] "One of the aptest particulars, that hath come or can come upon the stage, for," etc.—*R. and C.*

[3] "Declare yourself to undertertake a care of that matter."—*R. and C.*

[4] The copy in the 'Remains' goes on:—"Wherein in your wisdom you will remember there is a great difference in choice of the persons, as you shall think the affairs to incline to composition or to war. For your care-taking, general and popular conceit," etc.

[5] The 'Cabala' (following the 'Remains,' with some corrections) gives it thus:—"Whereby the very reputation of better care will be a strength. And I am sure her Majesty and my Lords of the Councell do not think their care dissolved when they have chosen whom to employ; but that they will proceed in a spirit of state, and not leave the main point to discretion. Then, if a resolution be taken, a consultation [must proceed, and the consultation] must be governed [qy. grounded]

of Toumond, and Mr. Wilbraham, to know their relation of the past, their opinion of the present, and their advice for the future.

For the points of apposing them, I am too much a stranger to the business to deduce them. But in a general topic, methinks the pertinent interrogations must be, either of the possibility and means of accord, or of the nature of the war, or of the reformation of abuses, or of the joining of practice with force in the disunion of the rebels. If your Lordship doubt to put your sickle into another's harvest;[1] first, time brings it to you in Mr. Secretary's absence: next, being mixt with matter of war, it is fittest for you: and lastly, I know your Lordship will carry it with that modesty and respect towards aged dignity, and that good correspondence towards my dear kinsman and your good friend now abroad, as no inconvenience may grow that way.

Thus have I played the ignorant statesman; which I do to nobody but your Lordship: except to the Queen sometimes when she trains me on. But your Lordship will accept my duty and good meaning, and secure me touching the privateness of that I write.

4.

Upon this advice the Earl appears to have been disposed to act; and accordingly to have communicated to Bacon the last intelligence from Ireland, and asked his opinion.

But by this time the negotiation had advanced a step further. Tyrone's case had been considered, and the Earl of Ormond had been instructed as to the terms upon which his pardon would be granted. "And now at another meeting at Dundalk, on the 15th of March, the Lord Lieutenant signified to Tyrone that her Majesty by his humble submission had been induced again to receive him to mercy, and to give him and all the inhabitants of Tyrone her gracious pardon, upon conditions following:—

upon information to be had from such as know the place and matters in fact; and in the taking of information I have always noted there is a skill and a wisdom. For I cannot tell what account or inquiry hath been taken of Sir William Russel, and of Sir R. Bingham, of the Earl of Thomond, of Mr. Wilbraham. But I am of opinion much more would be had of them, if your Lordship shall be pleased severally to confer, not *obiter*, but expressly upon some *caveat* given to think of it before: for *bene docet qui prudenter interrogat.*

"For the points," etc.

[1] "Yet consider you have these advantages. First, time being fit to you in Mr. Secretary's absence: next, *vis unita fortior:* thirdly, the business being mixed with matters of war, it is fittest for you," etc.—*Cab.*

1. That he renew his humble submission to the Lord Lieutenant in some public place.

2. That he promise due obedience of a subject, and not to intermeddle with the Irish, nor his adherents, not only hereafter, but now; leaving them to themselves, that they may become humble suitors for their own pardons; in which case it is promised them also.

3. That he disperse his forces upon receipt of his pardon, and dismiss all strangers, Irish, Scots, or others.

4. That he renounce the name and title of Oneale.

5. Not to intermeddle with her Majesty's Vriaghts (so the Irish call the bordering lords, whom the Ulster tyrants have long claimed to be their vassals).

6. That he build up again, at his own charges, the fort and bridge of Blackwater, and furnish the soldiers with victuals, as formerly he did.

7. That he deliver to the Lord Lieutenant the sons of Shane Oneale, who were her Majesty's prisoners; till breaking out they fell into his hands, and were imprisoned by him.

8. To declare faithfully all intelligence with Spain, and to leave it.

9. That he receive a sheriff for Tyrone, as all other countries do.

10. That he put in his eldest son for pledge, and at all times come to the State, being called.

11. That he pay a fine in part of satisfaction for his offence, according to her Majesty's pleasure.

12. That he aid no rebel, nor meddle with the inhabitants on the east side of the Ban; yet so as he may enjoy any lands or leases he hath there.

13. That he receive not any disloyal person, but send such to the chief governor."[1]

Of these articles Tyrone took exceptions to the 5th, 7th, 9th, 10th, and 13th. Such duties as the Vriaghts yielded since his grandfather's time were all he desired of them: but these he still claimed. To receive a sheriff he did not altogether refuse—provided he were a gentleman of the county: but "craved forbearance for a small time." The sons of Shane Oneale, whom (being the true heirs of the Earldom till it was forfeited by their father's rebellion) it was important to him to keep, he refused to deliver up—"because he had not those prisoners from the State." He refused to give his eldest son for a pledge: and stipulated that he should not deliver up to the State any man "who came to him for cause of conscience." To the rest, with some trifling reservations, he agreed. Only he asked for some delay,

[1] Moryson's Itinerary, part ii. chap. i. p. 23.

in order that "the lords, his associates, might have time to assemble," according to the second article, "that they might therein lay no imputation on him:"—whereupon the Lord Lieutenant granted him further day till the 10th of April following; at which time he pledged himself, whether they appeared or not, to make his own submission.

The result of this conference was of course immediately reported to the government at home, and it seems that the Council in Ireland (having had old experience of Tyrone's ways) were disposed to advise that the treaty should not on these conditions be proceeded with. Such I suppose was the question now before the Council in England,—such the state of things upon which Essex now asked for Bacon's advice. The next letter contains his answer, and must be supposed therefore to have been written about the end of March, 1598.

A LETTER OF ADVICE TO THE EARL OF ESSEX, UPON THE FIRST TREATY WITH TYRONE, 1598, BEFORE THE EARL WAS NOMINATED FOR THE CHARGE OF IRELAND.[1]

My very good Lord,

Concerning the advertisements which your Lordship imparted to me touching the state of Ireland, for willing duty's sake,[2] I will set down to your Lordship what opinion sprang in my mind upon that I read.

The letter from the counsel there, leaning to mistrust and to dissuade the treaty,[3] I do not much rely on for three causes. First, because it is always the grace and the safety[4] of such a counsel to err in caution: whereunto add, that it may be they, or some of them, are not without envy towards the person who is used in treating the accord. Next, because the time of this treaty hath no show of dissimulation; for that Tyrone is now in no straits: but he is more like a gamester that will give over because he is a winner, than because he hath no more money in his purse. Lastly, I do not see but that those articles whereupon they ground their suspicion may as well proceed out of fear as out of falsehood. For the retaining the dependence of

[1] Add. MSS. 5503, fo. 4.

[2] The copy in the 'Remains' and the 'Cabala,' begins thus:—"These advertisements which your Lordship imparted to me, and the like, I hold to be no more certain to make judgment upon than a patient's water to a physician; therefore for me upon one water to make a judgment were indeed like a foolish bold mountebank, or Dr. Birket: yet for willing duty's sake," etc.

[3] Leaning to distrust, I do not, etc.—*R. and C.*

[4] Both the grace and the safety from blame.—*R. and C.*

the Vriaghts,[1] the protracting the admission of a sheriff, the refusing to give his son for an hostage, the holding off from present repair to Dublin, the refusing to go presently to accord without including Odonnell and other his associates, may very well come of an apprehension[2] in case he should receive hard measure, and not out of treachery. So as if the great person you write of be faithful, and that you have not here[3] some present intelligence of present succours from Spain (for the expectation whereof Tyrone would win time), I see no deep cause of distrusting this course of treaty, if the main conditions may be good.[4] For her Majesty seemeth to me to be a winner thereby three ways. First, her purse shall have some rest. Next, it will divert the foreign designs upon that place. Thirdly, though her Majesty be like for a time but to govern *precario* in the north, and be not (as to a true command) in better state there than before; yet, besides the two respects of ease of charge and advantage of opinion abroad before-mentioned, she shall have a time to use her princely policy in two points to weaken them: the one, by division and disunion of the heads; the other, by recovering and winning the people from them by justice: which of all other courses is the best.

Now for the Athenian question; you discourse well, *Quid igitur agendum est?* I will shoot my fool's bolt, since you will have it so. The Earl of Ormond to be encouraged and comforted. Above all things, the garrisons instantly to be provided for. For opportunity makes a thief, and if he should mean never so well now, yet such an advantage as the breaking of her Majesty's garrisons might tempt a true man. And because he may as well waver upon his own inconstancy as upon occasion (and wanton variableness is never restrained but by fear), I hold it necessary he be menaced with a strong war, not by words, but by musters and preparations of forces here, in case the accord proceed not: but none to be sent over, lest it disturb the treaty, and make him look to be over-run as soon as he hath laid away arms. And but that your Lordship is too easy to pass in such cases from dissimulation to verity, I think if your Lordship lent your reputation in this case,—that is, to pretend that if peace go not on, and

[1] "So the Irish call the bordering lords, whom the Ulster tyrants have long claimed to be their vassals."—Moryson's Itinerary, part ii. p. 23.

[2] A guilty reservation.—*R. and C.* [3] *heard:* Res.

[4] Of distrusting the cause [qy. course] if it be good. And for the question, her Majesty seemeth, etc.—*R. and C.*

the Queen mean not to make a defensive war as in times past, but a full re-conquest[1] of those parts of the country, you would accept the charge,—I think it would help to settle Tyrone in his seeking accord, and win you a great deal of honour *gratis*.

And (that which most properly concerns this action, if it prove a peace) I think her Majesty shall do well to cure the root of the disease; and to profess, by a commission of peaceable men of respect and countenance, a reformation of abuses, extortions, and injustices there; and to plant a stronger and surer government than heretofore, for the ease and protection of the subject. For the removing of the sword or government in arms from the Earl of Ormond, or the sending of a deputy (which will eclipse it, if peace follow), I think it unseasonable.[2]

Lastly, I hold still my opinion (both for your better information, and the fuller declaration of your care and meddling in this urgent and meriting service) that your Lordship have a set conference with the persons I named in my former letter.

5.

What part Essex took in the subsequent deliberations I do not know, nor have we any detailed account of the measures which were taken in the exigency. We hear only that about the middle of March, Sir Thomas Cecil, Sir William Russell, Sir Walter Ralegh, and Sir Robert Bingham, were called and consulted: that order was taken for sending corn and victual: that there was talk of sending out as deputy either Sir W. Russell, who "absolutely refused to go," or Sir Walter Ralegh, who "did little like it:"[3] and that up to the 22nd of March, no dispatch had been made of deputy or forces.[4] The main issue however must have been an instruction to proceed with the treaty, and accept Tyrone's submission upon the terms proposed: for we learn from Moryson that "at the instance of the Lord-Lieutenant, the Lords Justices caused Tyrone's pardon to be drawn and sealed with the great seal of Ireland, bearing date the 11th of April."[5]

[1] The copy in the 'Remains' has:—"It is to pretend that if a defensive war as in times past, but a wofull reconquest of those parts in the country, you would accept the charge."

The 'Cabala' gives:—"It is to pretend that if not a defensive war as in times past, but a full reconquest of those parts of the country be resolved on, you would accept the charge." Which looks like a conjectural emendation.

[2] So Resusc. The MS. has *unreasonable*.

[3] Sydn. Pap. ii. 96. 18th March, 1597. [4] Id. p. 97. [5] Itin. p. 24.

So much Bacon, it seems, would have approved. But I do not find that anything was done either to provide for the garrisons, or to keep Tyrone in order by the mustering of forces in England, or to detach the people from him by the public manifestation of an intention to reform abuses in Ireland. At any rate, whatever was done was not enough, as things turned out; for before winter the whole country was in revolt.

The truth I suppose is, that the negotiation with France, which was going on at the same time and not going on at all successfully, distracted the Queen's attention from Ireland, and both the menace of war which was to awe Tyrone, and the commencement of reformation which was to detach the people, were put off too long.

With the French negotiation I have nothing to do,—Bacon having had no concern in it. Only two letters addressed by him to Sir Robert Cecil while he was in France,—letters merely of friendship and courtesy,—have been by some accident preserved, and must come in here.

To Sir Robert Cecil, at his being in France.[1]

It may please your honourable Lordship,

I know you will pardon this my observance in writing to you, empty of matter, but out of the fullness of my love. I am sorry that as your time of absence is prolonged above that was esteemed at your Lordship's setting forth, so now, upon this last advertisement received from you, there groweth an opinion amongst better than the vulgar that the difficulties also of your negotiation are increased. But because I know the gravity of your nature to be not to hope lightly, it maketh me to despair the less. For you are *natus ad ardua:* and the indisposition of the subject may honour the skill of the workman. Sure I am, judgment and diligence shall not want in your Lordship's self. But this was not my purpose; being only to signify unto your Lordship my continual and incessant love towards you, thirsting after your return for many respects. So I commend you ever to the good preservation of the Divine Majesty. Gray's Inn.

At your Honour's commandment ever and particularly.

[1] Resuscitatio, Supplement, p. 92.

To Sir Robert Cecil.[1]

My singular good Lord,

The argument of my letters to your Lordship rather increaseth than spendeth; it being only the desire I have to salute you, which by your absence is more augmented than abated. For me to write to your Lordship occurrences, either of Scottish brags, or Irish plaints, or Spanish ruffling, or Low Country states,[2] were (besides that it is *alienum quiddam* from mine own humour) to forget to whom I write; save that you that know true advertisements sometimes desire and delight to hear common reports, as we that know but common reports desire to hear the truth. But to leave such as write to your fortunes, I write to yourself, in regard of my love to you; you being as near to me in heart's blood as in blood of descent. This day I had the contentment to see your father upon occasion: and methought his Lordship's countenance was not decayed, nor his cough vehement; but his voice was as faint all the while as at first. Thus wishing your Lordship a happy and speedy return, I commend you to the Divine Majesty.

6.

Sir Robert Cecil returned at the end of April, unsuccessful. But though the King of France could not be dissuaded from making a separate treaty with Spain, he accompanied it with a stipulation that England should be invited to join, if she were so disposed. This led to warm debates at the English council-board between the peace-party, represented by Burghley, and the war-party, represented by Essex. Bacon's opinion on the particular question which was in agitation has not been recorded. It is probable however that he approved of peace, and certain that he must have disapproved of the temper and method in which Essex was proceeding; who was now once more on the brink of his favourite precipice, and would naturally be indisposed to seek counsel in a quarter from which he knew he could expect no encouragement. That he should take a leading part in the choice of an officer for Ireland, and should even make a point of securing, if he could, the employment of one of his own party, was natural, and in accordance with Bacon's former advice. But if the report be well founded—and it rests upon better authority than such reports usually

[1] Resuscitatio, Supplement, p. 93.

[2] Qy. *staies*.

do—that he quarrelled with the Queen for proposing to send his uncle, Sir William Knollys, and insisted on the appointment of Sir George Carew, only because being on bad terms with him he wished to remove him from the Court; still more, if it be true that upon no worthier quarrel than that he turned his back upon her in a manner so insulting that she was provoked to strike him; whereupon taking fire in his turn he laid his own hand on his sword, swearing that he neither could nor would swallow such an indignity, and would not have endured it from Henry VIII. himself, and so retired in dudgeon from the Court, refusing to make any submission:—if all this be true, it is clear that he was going headlong in a course the direct opposite of that which Bacon had always urged upon him. Such however is the story, as gravely and dispassionately told by Camden,[1] who may have heard the scene described by those who saw it,—for it is stated to have taken place in the presence of Lord Nottingham, Sir Robert Cecil, and Windebank;—a story never I believe contradicted; and confirmed, in the earlier part of it, by one of the "brief notes and remembrances" found among the papers of Sir John Harington, who was one of Essex's friends.[2] Nor is it to be denied that it is quite in the *spirit* of his former proceedings, only more reckless and intemperate. The exact date of this outbreak is not stated: and the cause and issue of the quarrel which followed is only to be gathered from scraps of Court news, which cannot be arranged into a consistent tale. It seems probable however that the scene at Court took place in June or July, 1598; and that four or five months passed in ineffectual endeavours on the Queen's part to extract from him some apology or submission which might open the door to reconciliation, and in moody discontent and wailings as of a much injured man on his; till, about the end of October, the absolute necessity of agreeing upon some course for the reduction of Ireland to obedience (the condition of which I shall have to treat more at large

[1] "De hoc pacis negotio et de eligendo aliquem idoneum ad res Hibernicas introspiciendas, acre inter Essexium et Reginam intervenit dissidium, non aliis quam Admirallo, Roberto Cecilio e secretis, et Windebanke a sigillulo, præsentibus. Quum enim illa Gulielmum Knolles, Essexii avunculum, præ cæteris omnibus in Hiberniam mittendum censeret; ille Georgium Carew, ut ab aula amandaret, potius mittendum, pervicaciter suaderet, nec persuadere posset; sui immemor et obsequii negligens, incivilius, quasi ex despicientia, tergum avertit et subsannavit: illa impatientior alapam impegit et in malam rem abire jussit. Ille gladii capulo manum admovit. Admirallo se interponente, dejuravit nec posse nec velle tantam indignitatem exsorbere, nec ab Henrico Octavo perferre voluisse, fremensque ex aula se proripuit."—Camd. Ann. iii. p. 771.

[2] "Note here how much will a man even benefit his enemy, provided he doth put him out of his own way. My Lord of Essex did lately want Sir George Carew to be Lord Lieutenant of Ireland, rather than his own uncle, Sir William Knollys; because he had given him some cause of offence, and by thus thrusting him into high office he would remove him from Court."—Nugæ Antiquæ, p. 173.

in another chapter) overruled smaller matters, and so they made it up. Not however, as on former occasions, with satisfaction on both sides, and some substantial object gained on the Earl's; for this last offence was but imperfectly digested by either. The reconciliation, such as it was, cannot be dated earlier than the 18th of October, if that be the true date of Essex's well-known letter to the Lord Keeper; but I suppose it took place not long after. And then it probably was that Bacon's next letter was written; though my only ground for assigning this date to it is that it suits so well with the circumstances.

To my Lord of Essex.[1]

It may please your Lordship,

That your Lordship is *in statu quo prius,* no man taketh greater gladness than I do; the rather, because I assure myself that of your eclipses, as this hath been the longest, it shall be the last.[2] As the comical poet saith, *Neque illam tu satis noveras, neque te illa; hoc ubi fit, ibi non vivitur.*[3] For if I may be so bold as to say what I think, I believe neither your Lordship looked to have found her Majesty in all points as you have done, neither her Majesty percase looked to find your Lordship as she hath done. And therefore I hope upon this experience may grow more perfect knowledge, and upon knowledge more true consent; which I for my part do infinitely wish; as accounting these accidents to be like the fish *Remora;* which though it be not great, yet hath it a hidden property to hinder the sailing of the ship. And therefore as bearing unto your Lordship, after her Majesty, of all public persons the second duty, I could not but signify unto you my affectionate gratulation. And so I commend your good Lordship to the best preservation of the Divine Majesty.

From Gray's Inn.

That the circumstances of this last quarrel had altered the relation between Essex and the Queen was most true. But Bacon's hope that it would prove an alteration for the better—which was really perhaps an expression of his fear that it would prove otherwise—was

[1] Rawley's 'Resuscitatio,' Supplement, p. 95.

[2] *least* in original.

[3] So in the original. The passage is in Terence's 'Heautontimorumenos,' i. 1, where the last clause stands thus, "*hocque fit ubi non vere vivitur.*"

not destined to fulfil itself. The Queen indeed, though her affection had received another mortification and her judgment another warning, retained her affection still, and would have gladly taken him back upon any reasonable assurance of good behaviour. But in Essex the season of good behaviour was past. "Ambitious men," says Bacon, "if they rise not with their service, they will take order that their service fall with them." Prosperity had made him such as we have seen him hitherto: what effect adversity was to have upon him—if such mortifications as he had now to endure can be dignified with the name of adversity—we shall see shortly. For the present we must leave him in a state of partial reconcilement, with the sound of Bacon's voice in his ear hoping that his better knowledge may guide him into a safer course.

CHAPTER V.

A.D. 1598. ÆTAT. 38.

1.

The poverty which in the summer of 1597 was still coming on Bacon like one that travelleth, came in the autumn of 1598 like a sheriff's officer. A money-lender who held his bond for £300 had sued him for it in Trinity Term of that year, but agreed to "respite the satisfaction" till the beginning of the term next ensuing. A full fortnight however before Michaelmas Term began, (without any warning and upon what pretence we are not informed) he served an execution upon him and had him arrested as he came from the Tower, where he was engaged in business of the Learned Counsel; in which he seems now to have taken his part, though a subordinate one, as a matter of course.

All we know of the case is contained in the two next letters, which I leave to tell their own story. The originals were found by Murdin in the Hatfield collection of state papers, and communicated by him to Birch, who included them in a volume entitled 'Letters, Speeches, etc., of Francis Bacon,' published in 1763; from which they are here taken.

To Sir Robert Cecil, Secretary of State.

It may please your Honour,

I humbly pray you to understand how badly I have been used by the enclosed, being a copy of a letter of complaint thereof, which I have written to the Lord Keeper. How sensitive you are of wrongs offered to your blood in my particular, I have had not long since experience. But herein I think your Honour will be doubly sensitive, in tenderness also of the indignity to her Majesty's service. For as for me, Mr. Sympson might have had me every day in London; and therefore to belay me, while he knew I came from the Tower about her Majesty's special service, was to my understanding very bold. And two days before he

brags he forbore me, because I dined with sheriff More. So as with Mr. Sympson, examinations at the Tower are not so great a privilege, *eundo et redeundo*, as sheriff More's dinner. But this complaint I make in duty; and to that end have also informed my Lord of Essex thereof; for otherwise his punishment will do me no good.

So with signification of my humble duty, I commend your Honour to the divine preservation. From Coleman Street, this 24th of September, [1598.]

At your honourable command particularly,

Fr. Bacon.

To Sir Thomas Egerton, Lord Keeper of the Great Seal.

It may please your Lordship,

I am to make humble complaint to your Lordship of some hard dealing offered me by one Sympson, a goldsmith, a man noted much, as I have heard, for extremities and stoutness upon his purse: but yet I could scarcely have imagined, he would have dealt either so dishonestly towards myself, or so contemptuously towards her Majesty's service. For this Lombard (pardon me, I most humbly pray your Lordship, if being admonished by the street he dwells in, I give him that name) having me in bond for £300 principal, and I having the last term confessed the action, and by his full and direct consent respited the satisfaction till the beginning of this term to come, without ever giving me warning either by letter or message, served an execution upon me, having trained me at such time as I came from the Tower, where, Mr. Waad can witness, we attended a service of no mean importance. Neither would he so much as vouchsafe to come and speak with me to take any order in it, though I sent for him divers times, and his house was just by; handling it as upon a despite, being a man I never provoked with a cross word, no nor with many delays. He would have urged it to have had me in prison; which he had done, had not sheriff More, to whom I sent, gently recommended me to an handsome house in Coleman Street, where I am. Now because he will not treat with me, I am enforced humbly to desire your Lordship to send for him, according to your place, to bring him to some reason; and this forthwith, be-

cause I continue here to my further discredit and inconvenience, and the trouble of the gentleman with whom I am. I have an hundred pounds lying by me, which he may have, and the rest upon some reasonable time and security; or, if need be, the whole; but with my more trouble. As for the contempt he hath offered, in regard her Majesty's service, to my understanding, carrieth a privilege *eundo et redeundo* in meaner causes, much more in matters of this nature, especially in persons known to be qualified with that place and employment, which, though unworthy, I am vouchsafed, I enforce nothing; thinking I have done my part when I have made it known; and so leave it to your Lordship's honourable consideration. And so with signification of my humble duty, etc.

2.

The service in the Tower from which Bacon was returning when thus interrupted, and of which Mr. Waad could witness the importance, was no doubt the examination (taken on the 23rd of September, 1598, before Peyton, Waad, and himself) of John Stanley.[1]

The case under investigation was one of those conspiracies for the assassination of Elizabeth, got up by the Popish refugees in Spain, which had become so frequent of late years; and of which (as they all failed, some through the vigilance of the Government, and some, like the present, from the weakness of the means employed) it is difficult in a world so changed to feel the true importance in relation to the business of that day. It has become the fashion, upon a general assumption that the Government by the control they had over the evidence could convict anybody of anything, and that they used their power without any scruple, to treat all such stories with contempt. But if the records show that evidence was in those days both obtained and used in a manner which would not now be thought fair, they show also that a vast deal of labour and ingenuity was spent in extracting it; and that when a man was arrested on suspicion of treason his trial and conviction did not by any means follow as a matter of course. Long delays intervened. Sheets upon sheets of interrogatories were carefully drawn up. All the answers were taken down in writing and authenticated by the signatures of all the examiners present. Fresh evidence was taken upon the hints derived from what had been obtained before. Often it happened that this evidence was not found sufficient, and the charge was dropped. Often, after

[1] S. P. O.: Domestic.

public trial and conviction, a history of the case was put forth for public satisfaction. All which implies that the authorities of those days were careful of their reputation for justice, anxious in all public proceedings of that nature to have the feeling of the people with them, and differed from ourselves rather in the way they went about it than in respect for the thing.

The case with which we are concerned at present was an attempt to poison the Queen, which had been made in July, 1597, and failed; and about which no suspicion had been raised at the time. It was not till May, 1598, I believe, that the Government heard of it;[1] not till October that they made the story out. A strange story, and in some parts hard to believe: but certainly resting upon admissions made by the accused party under cross-examination, which it is still harder to account for if they were false. As a fact in the history of criminal proceedings, it is still a curiosity worth preserving. And it happens to have been preserved in a manner which gives it a literary interest as well.

Early in 1599 there appeared from the press of the Queen's printer a pamphlet, purporting to be a letter written by a gentleman in England to a friend in Padua, giving a full account of it: and though the writer's name was not mentioned, I have no doubt, judging by the style, that it was written by Bacon. Whether it was really a private letter, a copy of which being shown to the Queen, she resolved to have it printed by authority (which is not unlikely, for both the Bacons had correspondents in Italy, who used to send them "relations" of affairs there[2]); or whether it was originally drawn up for publication, the form of a private letter being chosen to avoid the appearance of a "too curious and striving apology,"[3] I cannot say; nor is it a matter of any consequence. It was reprinted in Bishop Carleton's '*Thankful Remembrance*,' where I first met with it, and whence, not having been able to see the original, I have taken this copy. Another copy was published long after as a pamphlet, entitled, '*Authentic Memoirs of that exquisitely villainous Jesuit, Father Richard Walpole. Being the Copy of a Letter written from London by a Gentleman to his friend, another English Gentleman, residing at Padua, in Italy: laying open his abominable practices and base dealings with that wicked traitor, Edward Squire*,' etc. etc. This copy, which appeared in 1733, and professes to be taken from a manuscript, varies considerably from Carleton's; but is probably a less correct representation of the original; for the differences are due I think to the editor, who has apparently taken pains to correct and modernize the English, and in some

[1] Chamberlain to Carleton, 4th May, 1598. S. P. O.
[2] See Birch's Memoirs, ii. 91, 92, 173.
[3] See above, Vol. I. p. 96.

places to strengthen the effect by epithets. It has the date "Dec. 23, 1598;" which is probably correct, and which Carleton does not give: and a postscript, which though short I do not think it worth while to reprint, judging from the style that it has been either added entirely by some other hand, or greatly altered. A copy of the original edition was sent to Dudley Carleton, the Bishop's brother, by Chamberlain, on the 1st of March, 1598-9: with the remark that it was "well written," but without any speculation as to the writer. In ascribing it to Bacon I rely entirely on the internal evidence—which in this case however is to me almost as conclusive as the discovery of a draft in his own handwriting would be. The external evidence goes no further than to show that Bacon was in a position to write it. He was certainly present at many of the examinations;[1] probably present at the trial; and had a right to know everything that he tells. The original examinations and confessions may still be seen in the State Paper Office; and I have given references in the notes to the places in which authority will be found for some of the more important statements in the text.

A LETTER WRITTEN OUT OF ENGLAND TO AN ENGLISH GENTLEMAN REMAINING IN PADUA,

Containing a true report of a strange Conspiracy contrived between Edward Squire, lately executed for the same treason, as actor, and Richard Wallpoole, a Jesuit, as deviser and suborner, against the person of the Queen's Majesty. Imprinted by the deputies of C. Barker. 1599.[2]

Sir,

I thank you for your relation of Ferrera; and to make you payment in the like commodities, I return to you a true report of a fresh accident of state happened here with us; memorable for the strangeness of the matter; and the great significance it carrieth with it of God's extraordinary and most visible providence; but otherwise worthy to be damned to perpetual oblivion, as well for the detestable nature of the fact, as yet more (if more were possible) for the impiety of the persuasion; such as I assure you a man ought to make scruple to infame the times or infect men's cogitations with the repetition of it, were it not that these works of darkness are framed and forged in such a deep vault of

[1] See S.P.O. Sept. 23, Oct. 11, Nov. 3.

[2] This is the title as given in Oldys's catalogue of pamphlets in the Harleian Library. Carleton gives a similar description of it, but not the title itself.

hypocrisy as there is more danger that they should be unrevealed or unbelieved, than that being brought to clear light they should provoke an imitation in any of that which is so odious and foul.

And this, Sir, you may believe, that as I have had good means to inform myself to the full of that which passed in this matter, and the truth of all the particulars, as well those which were opened at the arraignment of Edward Squire, one of the offenders, as those which were reserved, so I have set down this narration rather abridged of some circumstances than anyways amplified or enlarged.

This Squire dwelt in Greenwich divers years, and took upon him the practice of a scrivener, yet rather as a help to maintain himself for a time than that he bare a mind to settle in that trade. He obtained also before his going to sea for some two years' space an employment about the Queen's stable, by way of deputation to one Kaies, a purveyor of those provisions. But being of a wit above his vocation, disliked with that condition of life, and put himself into action by sea, in the last voyage of Sir Francis Drake made into the Indies; in which voyage it was his hap that the Francis (a small bark wherein he went) was scattered from the fleet about Guadaloupe, and taken by five Spanish frigates. And so was Squire brought prisoner into Spain, where soon after he was set at liberty.

Not long after his enlargement he became known to Richard Walpoole, an English fugitive, and by order a Jesuit, a man of principal credit there, and a kind of vicar-general to Parsons in his absence. This Walpoole, carrying a waking and waiting eye upon those of our nation, to discover and single out fit instruments for the greatest treasons, observed this Squire; found him a man of more than ordinary sense and capacity for his quality and education; found him a man that had passed his middle age, well advised and yet resolved enough, and not apprehensive at all of dangers (for I do affirm this unto you, that never man answered upon his trial for life and death with less perturbation, nay scarcely with any alteration, as if he understood not his peril and calamity, and yet as sensible for speech as insensible for passion). But besides the disposition and temper of the man, Walpoole discerned in him two conditions of special advantage: the one, that coming into Spain a prisoner and not a fugitive, his return into England would be subject to less suspicion; the other,

that he understood Squire had formerly had some attendance about the Queen's stable, which he straight caught hold of as an opportunity.

Yet nevertheless, the better to prepare him and work him to his purpose; and the better also to give colour (when Squire should return into England) that he was a man that had suffered in Spain for his conscience; subtilly he compassed that, upon a quarrel picked, Squire was put into the Inquisition. By this means when he had got his heart into his hands, mollified by distress, and become secure of him that he was a fixed and resolved Papist, after probation and preparation sufficient, he began to open himself unto him; and first for introduction fell into the ordinary burden or song of that kind of people touching the tyrannies and persecutions exercised here in England against Catholics; though, Sir, you know very well the distinction and moderation of the proceedings here in ecclesiastical causes, with what lenity and gentleness it hath been carried, except where it was mixed with matter of state; for else I would gladly learn what should make the difference in the temper of the laws in the first year of the Queen and in 23 or 27, but that at the one time they were Papists in conscience and at the other they were grown Papists in faction; or what should make the difference at this day in law between a Queen Mary Priest and a Seminary Priest; save that the one is a Priest of superstition and the other is a Priest of sedition. But to the purpose: After the Jesuit had discoursed his pleasure of the miseries of Catholics here in England, and of the slanders of the government, and upon how few persons' lives the state here did stand; and Squire on the other side (who wanted no wit to perceive which way he was led) had first made some signification, and after some more serious and vehement protestation of his mind and devotion to do service to the cause; when the wicked friar saw that he was gotten into the true circle, he began to charm; and yet not having the power to fall upon the highest point first, without a gradation or bridge, *It were no doubt* (saith he) *an act very meritorious to kill the Earl of Essex; but* unum necessarium, *one thing is necessary.* And having kept him in suspense awhile, brake with him plainly and told him that he would put a service into his hands that he might execute and accomplish without any evident peril of his life,[1]

[1] See Squire's confession, in his own hand, 19th Oct. 1598.—ED.

because it was to be done what time the Queen herself should not be in presence (which I think he spake as having heard that which is very true, of some conspirators that having undertaken and vowed her Majesty's destruction, have nevertheless at the very instant of the access and opportunity been stricken with astonishment and had no power to execute their malice): nay further, he said that he should not need to fear in the doing thereof to be seen or observed by any persons of care or judgment, but such as might be easily conversed withal without suspicion. And it was the impoisonment of the pommel of the Queen's saddle at such time as she should ride abroad; her Majesty being like to rest her hand thereupon for a good time together, and not unlike for her hand to come often about her face, mouth, and nostrils: and this by reason of his former acquaintance and service about the stable, he thought he might easily perform and safely; and yet he said, *if imminent death should ensue thereupon he might not account of it, as being assured that he should exchange his present state with the state of a glorious saint in heaven.* Unto which accursed proposition after that Squire had assented, then did the friar use all diligence to confirm and bind him to resolution and performance. And to that end at sundry confessions took his vow and promise to be constant; causing him to receive the sacrament upon it; renewed his devilish persuasions, varying them in all forms to besiege his mind and cogitations, that he might find no way to get out of this wicked purpose; telling him, *that he stood now in the state of damnation if he did not his uttermost endeavour to perform his vow.* And bid him remember *how that sin did seldom obtain pardon, and if he did but once make doubt of the lawfulness or merit of the act it was enough to cast him headlong down into hell.* And if he did cast any difficulties or terrors, he wished him to consider *what did it avail a man to win the whole world and to leese his own soul.* So as now Squire must not descend into himself, he must make no objections, cast no doubts; but the eyes of his understanding blinded and sealed up, he must only contemplate upon these vows and adjurations. And for a conclusion and final benediction of this most execrable plot, Squire kneeling before Walpoole at confession, he lifted him up, hugged him about the neck with his left arm (such were Squire's own words) and crossing him with the other hand, after some words mumbled in Latin, said dis-

tinctly to him in English, *God bless thee and give thee strength, my son: be of good courage: I pawn my soul for thine, and thou shalt have my prayers dead and alive.* And upon this embracement and enchantment this desperate wretch and this blasphemous exorcist parted for that time.

Then doth he give him full instructions for the disposing of this poison;[1] showing him that he should receive it in a double bladder, and when it should be used he was to prick the bladder full of holes upon the upper part, and so to carry it within the palm of his hand with a thick glove for the safeguard of his hand: and in the instant when it was to be applied he should turn it in his hand the upside down, and so press it hard upon the pommel of the saddle: telling him further of the nature of it, that it would lie and tarry long where it was laid; and that it would not be checked by the air. And lastly upon his coming away delivered him the confection itself, in such a bladder as was before described.[2]

This was the true manner of the subornation of Edward Squire by Richard Walpoole, as it was confessed by the same Squire almost in the same words, as well for the persuasions as for the instructions. Which confession I do affirm unto you upon knowledge was delivered without torture or show of torture, and was soundly and sensibly uttered with all circumstances of a credible narration, for that part which concerneth the manner of the empoisonment: and for that part which concerneth the manner of the persuasion, was set down by an advised declaration under his own hand, and the same as far as hitherto we have gone was maintained and confirmed, and in no point retracted or disavowed either at his trial or at his death.

It seems also that Walpoole in some of his conferences did insist upon the empoisonment of the Earl of Essex;[3] the rather to defeat the voyage by sea, then expected, (for these things

[1] See examination of Edward Squire, 19th Oct., 1598.—ED.

[2] See Squire's third examination, 24th Oct., 1598. "He now confesseth that he received the confection of poison at the hands of Walpoole the Jesuit: which composition was to the quantity of a garden bean, and knoweth not whether there was any opium or mercury in it, nor what was in it, neither did Walpoole ever tell him whereof it was compounded. And saith that he received it in a double bladder enwrapped about with many parchments and papers." The paper is signed by Squire, and by Coke as examiner. In his first and second examinations he had stated the ingredients of the confection, and that he had bought them in London and made it up himself.—ED.

[3] See examination, 23rd Oct.—ED.

passed about May, 1597); so as Squire conceived it there could be no one thing more acceptable in the second degree.

Now after that Squire had received both poisons, as well the spiritual poison of wicked resolution as the material within the bladders; and that Walpoole had interlaced some promise to him of rewards and comforts besides those of the other world; and had schooled him for secrecy, which he made to be parcel of his vow; there rested only his dispatch for England. Whereunto to give an apt colour, it was devised that there should be a permutation treated by the means of a Chanon in Civil[1] of two Spanish prisoners here taken at Cales, friends of the said Chanon, for Squire and Rowles, now prisoner[2] in the Tower, who came over with him, whereby it might be carried far off from suspicion that Squire did not return as a man employed, but upon that private occasion. According to which project he was sent away conveniently moneyed, that he might be the better in heart, and yet not so abundantly as might make him love his life too well, and to go away with his fare quietly; though indeed there were more money stirring, but not in that hand.

And being arrived here in England about a fortnight before the Earl's setting forth toward the Islands, he did address himself to a counsellor of estate here; both to show himself, to the end to avoid suspicion, and with pretence also of some advertisements, to the end to win the better opinion and trust: and finding his coming well conceived of according to his desire, he did craftily and subtilly devise with himself, that if he could find any opportunity to execute his purpose before the Earl went (supposing that the poison could not work but in space of time), it would be more security for him to be absent and in the voyage, lest percase, some suspicious tokens of poison appearing, somewhat might fall out (upon such diligent inquisition as in such a case were like to be made) to be discovered against him; and therefore made his means to go with the Earl in his ship, and obtained his suit. So as now making his reckoning to have his peril upon his back, he did but watch his time.

And it pleased God for the manifestation of his glory that the Sunday se'nnight next after Squire's coming home out of Spain, he understood that the horses were made ready for her Majesty's

[1] Canon in Seville, I presume.—Ed.
[2] Carleton's copy has *prisoners:* a misprint, probably.—Ed.

riding abroad. Whereupon, full of those evil spirits wherewith so many exorcisms had possessed him, he came into the stable-yard where her Majesty's horse stood ready saddled, and in a familiar and cheerful manner, in the hearing of divers that stood thereby, having all things ready according to his instructions, he laid his hand upon the pommel of the saddle, and said "God save the Queen" (wherein it pleased God to take his words and not his meaning) and bruised the poison as he was directed.

Thus was her Majesty's sacred and precious life by the "all-hail" of a second Judas betrayed, the attempt put in act, and all the conspirator's part played to the uttermost line and tittle; there rested only God's part; for so it was that her Majesty's going abroad held; and as the viper was upon St. Paul's hand and shaked off without hurt, so this done was in July in the heat of the year, when the pores and veins were openest to receive any malign vapour or tincture, if her Majesty by any accident had laid her hand upon the place. And as the heathenish people at that time did argue and conclude thereupon that St. Paul was a god, so we may Christianly infer that it was God's doing and power, who hath defended his handmaid and servant by his secret and more than natural influence and preservation from so actual and mortal a danger, speaking by these signs to all her disloyal subjects and ambitious enemies, that as he hath done great things by her past ordinary discourse of reason, so he hath done and will do as great things for her beyond the course of his ordinary providence.

For surely if a man consider how many times her life hath been sought and assailed since the beginning of her reign, by violence, by poisoning, by superstitious votaries, by ambitious undertakers, by singular conspirators, by conspirators combined (speaking of those that have been revealed; besides a number (no doubt) of the like which have grovelled in darkness and never come to light), he will not find the like reflexion of God's favour in any sovereign prince that hath reigned.

But in the meantime you see the strange mysteries of the Jesuits' doctrine, that have mingled heaven and hell, and lift up the hands of subjects against the anointed of God; arming them with the invisible armour of Scriptures, sacraments, vows, prayers, and blessings, against their natural sovereign. Wherein there

is great difference between the spirit that wrought in David and this that worketh in them. For David when relation was made to him (by one that thought he had done Saul the last good office) how Saul had fallen upon his own sword in battle, and being in the anguish of death and careful not to fall alive in the hands of the Philistines, a people uncircumcised, desired this soldier to make an end of him, who did so, and was therefore by David adjudged to die because he dared to lay his hands upon the anointed of the Lord; and yet was Saul a king forsaken and abandoned of God; he had taken his mortal wound before, so as this soldier took from his pain and not his life; and it was to a good end, lest a heathenish people should reproach the name of God by insulting upon the person of Saul.

And surely for my part I do wonder that princes do not concur in loosing these bands and suppressing this sect, which maketh a traffic of their sacred lives, concluding and contracting for them with these blinded votaries in the secrecy of confessions and shrifts. For I do not see that pirates (whom the Civilians account to be *publici hostes societatis humanæ*, and therefore princes bound, as they affirm, though they be otherwise in no league one with another, yea and though they be enemies, to join in the suppressing and extirpation of them) are any such disturbers of human society as these are. Neither do I think that the Order of the Templars (that was put down throughout Christendom in a few weeks) were ever offenders in so high a degree. And I find somewhat strange that the Bishop of Rome (if it were but to avoid the aspersion of so great a slander and imputation to that religion) should not purge out this leaven so strange and odious.

But to return: within five or six days after this fact committed, Squire went to sea in the Earl's own ship, and belike as Tacitus saith, *Ferox scelerum quia prima provenerant*, taking the remain of the same poison with him in a little pot in his portmantua, when the Earl was at sea between Faial and St. Michael, he bestowed it upon the pommels of a chair of wood, where the Earl used to dine and sup: but thanks be to God nothing come of it neither.

Now let me acquaint you a little with the manner of detecting of this matter, which God did likewise strangely bring about. Squire slept now in security; for although he failed of success yet he took himself to be out of danger: thinking because it

was carried between his confessor and him, it could never be revealed. But his confessor whom it concerned not so much to keep it secret as it did Squire, tickled belike with the joy that he had such an iron in the fire, imparted it (for his own glory) to some principal of the fugitives there; there raised a great expectation in them of some effect to ensue. When time passed and nothing came of it, they made construction of it that Squire had been false to them. One of the more passionate of them inveigheth bitterly against Squire,[1] tells how he was trusted and how he had undone the cause; and the better to be revenged on him, is content that one (that they let slip hither as if he had fled from them) should give information of this matter, not with the circumstances, but generally, against Squire, partly to win himself credit, partly to wreak himself on Squire. And this fellow because he would be thought to do the better service, would not bring this in his mouth but in a letter, which he pretended to have stolen out of one of their studies. This letter compared with another letter that the same man brought as written from a several person, both which letters had one and the same busy knot to both names, is suspected to be counterfeited: it is so found. Hereupon it is collected that this was but an engine against Squire, and that he was an honest man. Yet because it was a tender matter, Squire was sent for and examined. For a time he denieth; after, he cometh to some circumstances which concurring with the other's tale gave it to be understood that there was somewhat true, and that all was not an invention against him: hold was taken of that; and thereupon Squire, not knowing how far his confessor had broken trust with him, by good persuasion and God's good working disclosed all without any rigour in the world.

But upon a second advice, being a man of a very good reach, finding that it had been his wisest way to have confessed the whole plot and subornation, which was known to Walpoole, and there to have stopped, and not to have told of the putting of it in execution, which was only known to himself, and which indeed was

[1] See examination of John Stanley, 23rd Sept., 1598. "He heard Creswell say how they had played the villains and broken their vow, having received fifteen hundred crowns before their departure" (meaning Squire and Rowles). See also Stanley's declaration, 18th Oct., 1598; and William Monday's examination, 3rd Nov., 1598. "Thomas Fitzherbert came in from Father Cresswell in a great rage and passion, saying what villain rascals are Rolls and Squire," etc.—ED.

won from him by good following,[1] he endeavoured at his arraignment to have distinguished, and avouching the first part to have retracted the second; pretending that although he undertook it, yet he had not any purpose to perform it.

Whereupon one of the Commissioners, being well acquainted with all the particular circumstances, did set before him the absurdity of his denial, against his former confession, which was voluntary, particular, and needless (otherwise than in conscience of truth): upon which speech he being stricken with remorse and convicted in himself, acknowledged and justified the truth of his former confession in the hearing of all the standers by.

Thus, Sir, have I entertained you with a discourse which I think in reading will affect you diversely as it did me in writing. But in the end I think we shall join in congratulating for our good deliverance and desiring of God the continuance of her Majesty, in whom our good days do consist.

Camden, who gives a concise summary of this case in exact accordance with the above narrative (probably taken from it), adds that "Walpoole, or some other for him, set forth a book in print, wherein he precisely denied with many detestations all which Squire had confessed." But unfortunately the motives of such a denial are obvious and strong, and some of them of a nature which might seem to a person in Walpoole's position to make it a duty above that of telling truth; whereas if the story told by Squire was false, it is impossible to conceive his motive for telling it. Supposing him to have been really involved in some such conspiracy, I can understand how he may have been induced to acknowledge some part of it, and may thereby have entangled himself in his own admissions till he had no escape. But if the story was all false, what possible inducement could he have for inventing it? He was merely spinning a rope for his own neck. And besides this difficulty (which seems to me insuperable), the principles avowed by the Jesuits in those days must necessarily deprive their assertions of all value. There may be obligations higher than that of veracity, but he who accepts them must be content to have all his words distrusted. A promise is worth nothing from a man who acknowledges an authority that may release him from it. An oath that he speaks truth is worth nothing from a man who may believe it his duty to declare upon oath that which is false. For my own part I believe the story as here told to

[1] It was not till the 23rd of October that he confessed the fact.—Ed.

be substantially true. Those who think it a fiction (that is to say, the *report* of a fiction, for the reporter was certainly not the inventor) will still find it interesting for the manner in which it is told. A better specimen of the art of narration it would be difficult to find. And it is interesting besides as showing Bacon's idea (for I suppose those who are most familiar with his acknowledged writings in this kind will be least inclined to doubt that it is his work) of the manner in which such cases ought to be treated,—cases in which the conduct of the government was sure to be misrepresented by an interested faction.

3.

I have already had occasion to observe that the name of an eminent man inserted in the titlepage of a manuscript, we do not know when, by whom, or upon what authority, proves only that somebody at some time has supposed that it was written by him; proves therefore, if not otherwise corroborated, nothing at all. I say an *eminent* man; because in the case of an obscure man (whose name would not naturally occur to a guesser) such evidence is worth something. When I find a work ascribed to so famous a man as Bacon upon this kind of authority, I merely take it as a reason for inquiring whether there is other evidence to connect him with it, and whether the thing is otherwise likely. For the rest, I regard it as a question newly raised, and to be decided upon its own merits without reference to the tradition.

In this position stands a treatise which was first included among Bacon's works by Blackbourn in 1730, on the authority of a manuscript in the library of the Inner Temple, the title of which ascribes it to him; and which has appeared in all subsequent editions, and continues to be spoken of, generally with high praise, as one of his undoubted works: an *historical account of the Alienation Office.* I was first led to examine Bacon's claim to the authorship of this work by finding that there was a manuscript in the library of Lincoln's Inn with a similar title, but with the name of *Wm. Lambarde* subscribed.[1] The Inner Temple manuscript told me nothing; being merely a copy in a hand comparatively modern, with no marks about it of any kind to give it authority. But soon after I chanced upon a volume in the Cambridge University Library,[2] which contained so decisive a confirmation of the Lincoln's Inn copy that I considered the question as settled in so far as it concerned me, and did not care

[1] Maynard Collection, lix. See Report of Record Commission.
[2] 1893, I. i. 6. 29.

to pursue the inquiry further. This was a small manuscript of William Lambarde's; a kind of law commonplace book; written, I should suppose, in his own hand, but not being then familiar with his handwriting I cannot state that as a fact. The first article in this volume is the first draft (apparently) of the "Discourse of the Office for the Composition of Alienations;" at the beginning is written the date "October, 1590," and at the end a note "Look the enlarged copy hereof in 4to, which was done in November, 1595." The signature (which is inserted both at the head and foot) is written in some fanciful character, and I cannot undertake to interpret all the letters. It looks like *Willeham Lamperse*. But this I leave for those to settle whose business is with Lambarde: it is enough for me to resign all pretensions on the part of Bacon to the authorship of this tract; which otherwise would have come in here.

The letter which comes next in date recalls us to the affairs of the Earl of Essex; whom we left in a state of partial recovery from his last and most serious fit of disgust; again in attendance at Court and Council, and received by the Queen; but upon the new and indigestible condition of giving instead of receiving satisfaction,—making submissions instead of extorting boons. But to understand the case to which this letter refers, we must go back to the treaty concluded in April, 1598, with Tyrone.

CHAPTER VI.

A.D. 1599. ÆTAT. 39.

1.

Tyrone had broken faith so often and so often received pardon upon promise not to break it again, that he had come at last to regard both as matters of course. This last treaty, not being backed by preparations for effectual chastisement in case of breach, appears to have been simply ignored. What pretexts he alleged we are not informed. Moryson only says, "Tyrone wanted not pretences to frustrate the late treaty, and to return to his former disloyalty; and the defection of all other submitties depending on him followed his revolt." And certainly his engagement to repair the fort of Blackwater and furnish the garrison with victual can hardly have been two months old, when having in vain tried to take it by assault he was proceeding to reduce it by famine.[1]

It was in marching to the relief of the brave little band who held it, that the English first learned how rapidly the natives were improving in the art of war;—a lesson which England has had to learn many times since in many parts of the world by the same kind of teaching. The siege had lasted so long that the garrison were feeding on the vegetation of the walls and ditches, when Sir Henry Bagnall, Marshal of Ireland, "with the most choice companies of foot and horse troops of the English army," was sent to relieve them. Having to pass among hills, bogs, and woods, the force got separated, and Tyrone taking his advantage, charged the foremost body, killed the Marshal, and in the end gained a complete victory. Thirteen captains and fifteen hundred soldiers were slain on the field, and the rest fell back upon Armagh; whereupon the garrison, having first learned that there was no further hope of succour, yielded up the fort.

"By this victory"—which happened on the 14th of August—"the rebels" (says Moryson) "got plenty of arms and victuals; Tyrone was among the Irish celebrated as the deliverer of his country from thraldom, and the combined traitors on all sides were puffed up with

[1] Moryson, p. 24. The date of the assault is not given either by him or Camden.

intolerable pride. All Ulster was in arms, all Connaught revolted, and the rebels of Leinster swarmed in the English pale: while the English lay in their garrisons, so far from assailing the rebels, as they rather lived in continual fear to be surprised by them." In October Munster followed the example.

After this, it was clear that the case of Ireland could no longer be allowed to wait upon Court quarrels. The Council had recently suffered a great loss both in brains and heart by the death of Burghley a fortnight before. Sir Robert Cecil's abilities, though great, were not of that simple and direct kind which gives a natural ascendency and authority in council; nor was he perhaps altogether the man to deal with such a problem as Ireland now presented, if he had been left to himself. Ralegh, who had all the faculties for it, is for some reason or other not heard of at this juncture. I fancy he kept aloof, knowing that such a business could not be undertaken with any chance of success, except by a man who had the advantage both of popularity in the country and a commanding party in Court and Council: and he had had taste enough of Essex's disposition towards rivals in general and himself in particular, to know what sort of support he was likely to receive from a Council swayed by him. Essex himself was as yet in no humour to help, though still powerful to hinder. He had refused to give counsel when last called to the Lord Keeper, unless he might be first heard by the Queen herself. On hearing of the disaster of Blackwater he had posted up and made offer of his advice, but only (it seems) on the same condition.[1] And though he succeeded in obtaining access in the course of the next month, it was not till after the 18th of October (according to Camden's account) that "he became more submiss, and obtained pardon; and was received again of her into favour."

2.

Of the occasion and process of his recovery I find no news. But I am inclined to think that a second blow of ill luck in Ireland had something to do with it. On the 29th of August, a fortnight after the Blackwater disaster, we learn from Chamberlain that he was still out of favour, "though he had relented much and sought by divers means to recover his hold: but the Queen said he had played long enough upon her, and that she meant to play awhile upon him, and to stand as much upon her greatness as he had done upon his stomach."[2] On the 12th of September (as I learn from a letter of Toby Matthews)[3] he saw the Queen for the first time since the quarrel, and

[1] See his own Letter, printed in the 'Lives of the Earls of Essex,' i. 496.
[2] S. P. O.
[3] S. P. O., 15th Sept., 1598.

was supposed to be in favour again. Yet the reconciliation cannot have been a very sound one; for the letter of remonstrance addressed to him by Egerton and his reply (18th October) show that the old wound was still as sore as ever, and that he was then standing on terms little short of defiance.

Now it must have been about this time that the case of Ireland assumed a new aspect. Upon news of the death of Sir Henry Bagnall at Blackwater, Sir Richard Bingham—"a man," says Camden, "of all others the most valiant and fortunate against the rebels"—had been sent over to take his place as Marshal of Ireland and General of Leinster.[1] But Sir Richard had hardly arrived in Dublin[2] when he died. This was another great loss to the government and great encouragement to the rebellion, which was rapidly spreading on all sides. The reconquest of Ireland became now the main problem of the time, and could only be accomplished by a strong effort and a large army. Whoever commanded that army would be the chief man of the day; would draw the eyes of all soldiers upon him while the action was in progress, and if he succeeded, would have done a much greater thing than the capture of Cadiz. Now it must be confessed that if Essex could be content to see any one else in such a position as that, he was within the last twelvemonth a much altered man; and I cannot help suspecting that it was this apprehension which overcame his disgusts and induced him to make the necessary submission. Certain it is that only two days after the date of that letter to Egerton, —a letter breathing of anything but submission,—a report was abroad that he meant to take the charge of Ireland upon himself; and from that time the rumour which had previously assigned it to Lord Montjoy died away. The following extracts from Chamberlain's letters to Carleton will best show the condition of popular expectation on the subject.

Oct. 20. "The state of Ireland grows daily *di mal in peggio*. Some think the Lord Montjoy shall be sent thither deputy; others say the Earl of Essex means to take it upon him, and hopes by his countenance to quiet that country. Marry, he would have it under the broad seal of England that after a year he may return when he will."

Nov. 8. "It is generally held that the Earl of Essex shall go to Ireland towards the spring, and Lord Montjoy as his deputy, with divers other young lords," etc.

Dec. 8. "The Earl of Essex's journey to Ireland is neither fast nor loose,

[1] Privy Seal, dated Greenwich, August 31, 1598. See R. Lascelles's 'Liber Munerum.'

[2] Patent as Marshal, dated Dublin, 13th October, 1598.—Ib. The exact date of his death is not stated. Camden says, "Statim atque appulit Dubliniæ diem obiit."

by reason the proportions are daily clipt and diminished. For eight or ten days the soldiers flocked about him, and every man hoped to be a Colonel at the least."

Dec. 20. "From Friday the 15th to Sunday the 17th it held fast and firm that the Earl of Essex was to go, and all things were accordingly settled and set down: but a sudden alteration came on Sunday night, the reason whereof is kept secret."

Jan. 3. "The word is come about again for Ireland; and the disgust that made stay of the Earl's going for awhile is sweetened and removed."

Jan. 17. "The Earl's going to Ireland is deferred from February to March."

March 1. "My Lord of Essex, much crossed, does not succeed: new difficulties arise daily about his commission, as touching the time of his abode, his entertainment, and disposing of offices; his Lordship so dissatisfied that it is doubtful whether he will go."

It is clear therefore that from the time he reappeared at the council-board and took the matter up, no one but himself was spoken of for the appointment, and that the delays arose not from the pretensions of any competitor or from any hesitation in himself, but from the difficulty of satisfying him as to the conditions. The truth is, he found that if he held out longer the service would be committed to another man. While he was still nursing his grievance and refusing to attend, Lord Montjoy had been fixed upon;[1] a man singularly qualified for the office, as appeared afterwards; and one also whom Essex (ever since he quarrelled and fought with him, some ten years before, for wearing a Queen's favour in the tiltyard) had reckoned among his friends. But it was now some time since Essex had been able to continue on terms of friendship with any man who stood in a position to be in any way his competitor; and all accounts agree[2] that it was by his influence that the nomination of Montjoy was cancelled and the task laid upon himself.

[1] "When the Earl of Essex went Lord Lieutenant into Ireland, the Lord Montjoy was first named to that place; whereupon by my brother Sir Richard Moryson's inwardness with him, I then obtained his Lordship's promise to follow him into Ireland."—Moryson, p. 84. It is clear therefore that the selection of Lord Montjoy was more than a rumour.

[2] It may be enough to cite three; Camden's, Fynes Moryson's (whose subsequent intimate relation with Montjoy gives an independent value to his evidence, though in this part of the story he only repeats and confirms Camden), and Essex's own.

"The Queen" (says Camden) "and most of the Council cast their eyes upon Charles Blunt, Lord Montjoy. But the Earl of Essex covertly signified unto them that he was a man of no experience in the wars, save that he had commanded a company in the Low Countries and Little Britain; that he was a man of a small estate, strengthened with very few followers and dependants, and too much drowned in book-learning. That into Ireland must be sent some prime man of the nobility, etc., . . . so as he seemed to point with the finger to himself. Insomuch as the Queen was now resolved to make him Lord Deputy of Ireland and General of the Army; which notwithstanding he made show to refuse, praying her to bestow so

3.

That he disliked the service at all is by no means clear to me. If he did, he disliked still more that another man should be entrusted with it. But whether he liked it or not, he was to go: and before he went, if not before he had finally resolved on going, he asked Bacon's advice. The time is not known. If I have guessed the occasion of Bacon's last congratulatory letter right,[1] it may have been then, and that letter may have suggested the communication. At any rate it seems to have been while there was yet time for consideration. What Bacon was likely to think of such a project may be inferred from the significant qualification with which he guarded the suggestion thrown out in his last letter of advice,—written when he hoped that the rebellion would be quelled without a war. "And (says he) *but that your Lordship is too easy to pass in such cases from dissimulation to verity*, I think if your Lordship *lent your reputation* in this case,—that is to *pretend* that if peace go not on and the Queen mean to make, not a defensive war as in times past, but a full reconquest of those parts of the country, you would accept the charge; I think *it would help to settle Tyrone in his seeking accord*, and win you a great deal of honour *gratis*." Of the value of the loan of Essex's *reputation* there could be no doubt. His fame in England was at its height, and carried over to Ireland with echoes from every side, would no doubt sound still louder there than here. Nothing is more likely than that in *April*, when the rebellion had not as yet been encouraged by any considerable success, the fear of a royal army under the command of Essex would have made the leaders pause and given healing measures time to work. But it is clear that even then Bacon would not have advised him to put it to the proof—much less now, when the work was so much more arduous, and his own position so much worse by reason of the feelings which his recent behaviour had excited in the

difficult a charge on some other; and yet if any other were named he had somewhat in a readiness to object."—Camden, 1599.

2. "Whom" [Lord Montjoy] (says Moryson) "her Highness had the last year purposed to employ in that place: at which time the Earl of Essex, though linked in near friendship with him, yet secretly opposed this her Majesty's determination, alleging that the Lord Montjoy had small experience in martial affairs, save that he had gained in the small time he had served in the Low Countries, adding that he was too bookish, and had too few followers and too small an estate, to embrace so great a business. So as the Earl, not obscurely affecting this employment himself (to the end he might more strongly confirm that dependency which all military men already had on him)," etc.—Moryson, part ii. 1, 1, p. 45.

3. "I have beaten Knollys and Montjoy in the Council" (writes Essex himself to John Harington, offering him a command), "and by God I will beat Tyr-Owen in the field: for nothing worthy her Majesty's honour hath yet been achieved."—Nugæ Antiquæ, i. 245.

[1] See above, p. 104.

Queen. Of the advice which Bacon did in fact give we must be content with his own report, there being no other record of it. "Touching his going into Ireland it pleased him expressly and in a set manner to desire mine opinion and counsel. At which time I did not only dissuade but protest against his going: telling him with as much vehemency and asseveration as I could that absence in that kind would exulcerate the Queen's mind, whereby it would not be possible for him to carry himself so as to give her sufficient contentment, nor for her to carry herself so as to give him sufficient countenance: which will be ill for her, ill for him, and ill for the state. And because I would omit no argument, I remember I stood also upon the difficulty of the action: setting before him out of histories that the Irish were such an enemy as the ancient Gauls or Germans or Britons were; and we saw how the Romans, who had such discipline to govern their soldiers and such donations to encourage them and the whole world in a manner to levy them, yet when they came to deal with enemies which placed their felicity only in liberty and the sharpness of their sword, and had the natural elemental advantages of bogs and woods and hardness of bodies, they ever found they had their hands full of them: and therefore concluded that going over with such expectation as he did, and through the churlishness of the enterprise not like to answer it, would mightily diminish his reputation: and many other reasons I used, so as I am sure I never in anything in my lifetime dealt with him in like earnestness, by speech, by writing, and by all the means I could devise. For I did as plainly see his overthrow chained as it were by destiny to that journey, as it is possible for a man to ground a judgment upon future contingents. But my Lord, howsoever his ear was open, yet his heart and resolution was shut against that advice."[1]

4.

The questions which arose with regard to the extent of his commission it is not necessary to discuss. If Bacon was consulted about any of them (which I do not think likely) no record remains of his opinion. The amplitude of the authority for which Essex stipulated and the pertinacity with which he insisted on his demands is said to have been remarked at the time as strange and even suspicious. "In such sort did he bear himself" (says Camden) "that he seemed to his adversaries to wish nothing more than to have an army under his command and to bind martial men unto him; and that with such earnest seeking that some feared lest he entertained some monstrous

[1] Apology.

design, especially seeing he showed his contumacy more and more against the Queen, that had been most bountiful to him." And certainly considering the temper he was in, the sense of injury which he was still nursing in himself and which was cherished in him by a whole world of sympathizing followers, his long habit of coming a winner out of every dispute with the Queen, and his inveterate tendency to consider every man who crossed him as an enemy to his country as well as to him—it may well be believed that *one* of the objects which he had now in view was to make himself formidable: which he had the means of doing, because he was in fact formidable already: so much so that the danger of refusing his demands was thought to be (even with the Queen) one of the reasons for granting them.[1]

Bacon himself was, I think, very far from easy on this head. He had long since warned him of the impression which his favourite courses would sooner or later make on the Queen's mind, whether or not there were any real ground for it: latterly he had begun, I fancy, to suspect that there was juster reason for that impression than there should have been. And now when the Earl was on the point of setting out on the great enterprise, he wrote him a letter, the full significance of which will not be understood without bearing this among other things in mind.

He had in vain advised him to decline an undertaking to which he did not think him equal. His advice had been heard and rejected. All was now settled. Every demand which the Earl made had been conceded; the rather (they say) by the furtherance of his enemies, who foresaw the issue.[2] He was to have a larger army under his command than had ever been seen in Ireland, and larger powers than any deputy had ever been trusted with. The one chance for him now was to be inspired with a due sense of the responsibility of his position; to have his ambition directed into the right channel, and his spirit roused to perform worthily the service which he had, however rashly, undertaken. If he could but be persuaded to lay aside personal aims and emulations, and think only of the public duty with which he was trusted; to make the performance of that his sole aim, and address himself to it earnestly, strenuously, and loyally; he had

[1] "He had long been a dear favourite with the Queen, but had of late lain so open to his enemies, as he had given them power to make his embracing of military courses and his popular estimation so much suspected of his sovereign, as his greatness was now judged to depend as much upon her Majesty's fear of him as her love to him."—Moryson, p. 26.

[2] "Nec quicquam in optatis habuit quod officiosa, ne dicam insidiosa, adversariorum opera non impetravit."—Camden. A comment curiously contrasting with Essex's own complaints, the unvarying burden of which is that whatever he asks for is refused.

still a noble alternative before him; the honour and merit of a great achievement if he succeeded; of a faithful endeavour if he failed. In reminding him once more of the dangers which awaited him, to rouse his ambition to encounter and overcome them, is the task to which Bacon now addresses himself. He looks on all sides for hopeful prognostics;—tries to see them in the rareness of the opportunity, an occasion forced on as it were by Providence for reducing and settling the whole kingdom of Ireland: in the badness of the cause he was going against, three of the unluckiest vices of all others—Disloyalty, Ingratitude, and Insolency:—in the goodness and justice of the cause he was going to maintain; a recovery of subjects from barbarism to humanity no less than from rebellion to obedience:—in the Earl's own character and qualities:—in the nature of the present difficulty, as caused by former errors:—in the greatness of the trust committed to him, which should stimulate him to deserve it:—nay, in the very thing which he had before used as an argument of dissuasion (for the same apprehension which alarms the judgment may serve to rouse the courage)—namely the difficulty of the enterprise and the nature of the enemy:—all which considerations, in making the merit of success greater might be expected to make the endeavour more strenuous. But in each successive note of encouragement there is heard also a voice of warning, sad and ominous. The vision of success which "some good spirit leads him to presage" is clouded with the presentiment of an approaching catastrophe. And all he can say in the way of advice amounts to no more than a repetition of the old warning—to seek merit, not fame; and to keep within the limits of obedience.

The date of the letter is not given: but I suppose it was written in March, 1599.

A Letter of Advice to my Lord of Essex, immediately before his going into Ireland.[1]

My singular good Lord,

Your late note of my silence in your occasions hath made me set down these few wandring lines, as one that would say somewhat, and can say nothing, touching your Lordship's intended charge for Ireland: which my endeavour I know your Lordship will accept graciously; whether your Lordship take it by the handle of [the] occasion ministred from yourself, or of the affection from which it proceeds.

Your Lordship is designed to a service of great merit and great

[1] Add. MSS. 5503, fo. 6.

peril; and as the greatness of the peril must needs include a like proportion of merit: so the greatness of the merit may include no small consequence of peril, if it be not temperately governed. For all immoderate success extinguisheth merit, and stirreth up distaste and envy; the assured forerunners of whole charges of peril.[1] But I am at the last point first, some good spirit leading my pen to presage to your Lordship success; wherein, it is true, I am not without my oracles and divinations; none of them superstitious, and yet not all natural. For first, looking into the course of God's providence in things now depending, and calling to consideration how great things God hath done by her Majesty and for her; I collect he hath disposed of this great defection in Ireland, thereby to give an urgent occasion to the reduction of that whole kingdom; as upon the rebellion of Desmond there ensued the reduction of that whole province.

Next, your Lordship goeth against three of the unluckiest vices of all others, Disloyalty, Ingratitude, and Insolency; which three offences, in all examples, have seldom their doom adjourned to the world to come.

Lastly, he that shall have had[2] the honour to know your Lordship inwardly, as I have had, shall find *bona exta*, whereby he may ground a better divination of good than upon the dissection of a sacrifice. But that part I leave; for it is fit for others to be confident upon you, and you to be confident[3] upon the cause; the goodness and justice whereof is such as can hardly be matched in any example; it being no ambitious war against foreigners, but a recovery of subjects, and that after lenity of conditions often tried; and a recovery of them not only to obedience, but to humanity and policy, from more than Indian barbarism.

There is yet another kind of divination familiar in matters of state, being that which Demosthenes so often relieth upon in his time, when he saith, *That which for the time past is worst of all, is for the time to come the best: which is, that things go ill, not by accident, but by errors.* Wherein, if your Lordship have been heretofore a waking censor, you must look for no other now, but *Medice, cura teipsum.* And though you should not be the blessed[4] physician that cometh in the declination of the dis-

[1] So in 'Resuscitatio.' Add. MS. 5503 has "the assured forerunners of changes."
[2] *had* omitted in MS.
[3] So 'Cabala.' The words from "upon" to "confident" are omitted both in the MS. and in the 'Resuscitatio.'
[4] *shall* and *happy* in 'Resuscitatio.'

ease, yet you embrace that condition which many noble spirits have accepted for advantage; which is that you go upon the greater peril of your fortune, and the less of your reputation; and so the honour countervaileth the adventure. Of which honour your Lordship is in no small possession, when that her Majesty (known to be one of the most judicious princes in discerning of spirits that ever governed) hath made choice of you (merely out of her royal judgment, her affection inclining rather to continue your attendance) into whose hand and trust to put the commandment and conduct of so great forces; the gathering of the fruit of so great charge; the execution of so many counsels; the redeeming of the defaults of so many former governors; and the clearing of the glory of so many and happy years' reign, only in this part eclipsed. Nay further, how far forth the peril of that State is interlaced with the peril of England, and therefore how great the honour is, to keep and defend the approaches or avenues of this kingdom, I hear many discourse; and indeed there is a great difference, whether the tortoise gather herself within her shell hurt or unhurt.

And if any man be of opinion, that the nature of the enemy doth extenuate the honour of the service, being but a rebel and a savage,—I differ from him. For I see the justest triumphs that the Romans in their greatness did obtain, and that whereof the emperors in their styles took addition and denomination, were of such an enemy as this; that is people barbarous and not reduced to civility, magnifying a kind of lawless liberty, prodigal in life, hardened in body, fortified in woods and bogs, and placing both justice and felicity in the sharpness of their swords. Such were the Germans and the ancient Britons, and divers others. Upon which kind of people, whether the victory were a conquest, or a reconquest upon a rebellion or a revolt, it made no difference that ever I could find in honour. And therefore it is not the enriching predatory war that hath the pre-eminence of honour, else should it be more honour to bring in a carrack of rich burden than one of the twelve Spanish Apostles. But then this nature of people doth yield a higher point of honour, considering the truth and substance,[1] than any war can yield which should be achieved against a civil enemy, if the end may be *pacique*[2] *im-*

[1] *considered in truth and substance:* Resusc.
[2] So all the copies.

ponere morem, to replant and refound the policy of that nation; to which nothing is wanting, but a just and civil government. Which design as it doth descend unto you from your noble father who lost his life in that action (though he paid tribute to nature and not to fortune), so I hope your Lordship shall be as fatal a captain to this war as Africanus was to the war of Carthage, after that both his uncle and father had lost their lives in Spain in the same war. Now although it be true that these things which I write, being but representations unto your Lordship of the honour and appearance of success of the enterprise, be not much to the purpose of any advice: yet it is that which is left to me, being no man of war, and ignorant in the particulars of State. For a man may by the eye set up the white right in the midst of the butt, though he be no archer. Therefore I will only add this wish, according to the English phrase, which terms a well-willing advice a wish; that your Lordship in this whole action, looking forward, would set down this position, That merit is worthier than fame; and looking back hither, would remember this[1] text, That obedience is better than sacrifice. For designing to fame and glory may make your Lordship in the adventure of your person to be valiant as a private soldier, rather than as a General: it may make you in your commandments rather to be gracious than disciplinary: it may make you press action (in respect of the great expectation conceived) rather hastily than seasonably and safely; it may make you seek rather to achieve the war by fine force, than by intermixture of practice: it may make you (if God shall send prosperous beginnings) rather seek the fruition of that honour, than the perfection of the work in hand. And for the other point, that is the proceeding like a good Protestant upon express warrant, and not upon good intention, your Lordship knoweth in your wisdom that as it is most fit for you to desire convenient liberty of instructions, so it is no less fit for you to observe the due limits of them; remembering that the exceeding of them may not only procure in case of adverse accident a dangerous disavow; but also in case of prosperous success be subject to interpretation, as if all were not referred to the right end.

Thus have I presumed to write these few lines to your Lordship, *in methodo ignorantiæ;* which is when a man speaketh of

[1] So 'Resuscitatio.' The words from "position" to "this" are omitted in the MS.

a subject not according to the parts of the matter,[1] but according to the model of his own knowledge; and I most humbly desire your Lordship, that the weakness thereof may be supplied in your Lordship by a benign acceptation, as it is in me by my best wishing.

5.

The Earl set out on the 27th of March, 1599, with great popular expectation and acclamation, but with strange and serious misgivings on the part of other people besides Bacon, among those who had better means of judging. A very confidential letter of advice and warning addressed to Sir John Harington by a friend and kinsman holding some office about the Court, and printed in the 'Nugæ Antiquæ,' gives us a glimpse behind the curtain.

"I hear you are to go to Ireland with the Lieutenant, Essex. If so, mark my counsel. . . . Observe the man who commandeth, and yet is commanded himself: he goeth not forth to serve the Queen's realm, but to humour his own revenge. . . . . If the Lord Deputy performs in the field what he hath promised in the Council, all will be well; but though the Queen hath granted forgiveness for his late demeanour in her presence, we know not what to think hereof. She hath in all outward semblance placed confidence in the man who so lately sought other treatment at her hands: we do sometime think one way and sometime another. . . . . You have now a secret from one that wisheth you all welfare and honour; I know there are overlookers set on you all, so God direct your discretion. Sir William Knolles is not well pleased, the Queen is not well pleased, the Lord Deputy may be pleased now, but I sore fear what may happen hereafter."[2] And more in the same strain.

These were conjectures no doubt, drawn from dark hints and rumours of the Court; but they were conjectures formed at the time by lookers-on not personally implicated, and when questions arise hereafter as to the objects with which Essex undertook and entered upon his task, it is fit they should be remembered. And to me I must confess that however gaily and hopefully he expressed himself to private friends like Harington and Bacon,[3] the tone of his letters to the Government from the very first seems less like that of a man undertaking either a hopeful enterprise with spirit or an unhopeful one with resolution, than of one who is preparing to quarrel with

[1] So 'Resuscitatio.' The MS. has "not according to the matter."

[2] Mr. Robert Markham to Sir J. H. Nugæ Antiquæ, i. 240.

[3] "Confessing that your Lordship, in your last conference with me before your journey, spake not in vain, God making it good, that you trusted we should say *Quis putasset*." See further on, p. 150.

his employers and throw upon them the responsibility for what may happen. All his demands are for increase of strength and authority. As fast as one is granted he makes another. And upon the least demur comes always the querulous warning that if things go wrong it is not his fault. A little before, he had proposed to make the Earl of Southampton (a man then under the Queen's displeasure, but entirely devoted to himself) General of the Horse; and when the Queen "showed a dislike of his having any office," he had told her that she might revoke his commission if she would, but if she meant him to execute it "he must work with his own instruments."[1] And now immediately upon his departure, when he was yet no further on his way than Bromley, we find him insisting in the same peremptory fashion upon the appointment of his step-father Sir Christopher Blount to a seat in the Irish Council. Sir Christopher was a Roman Catholic, and a man who was ready (as appeared afterwards) to go *almost* all[2] lengths of disloyalty with him. The Queen had agreed that he should accompany him as Marshal of the Army; whereupon Essex applied to have him made a Councillor also; which being refused, he replied that in that case he should not want him, and had therefore sent him back. "I have returned Sir Christopher Blount whom I hoped to have carried over; for I shall have no such necessary use of his hands, as being debarred the use of his head I would carry him to his own disadvantage and the disgrace of the place he should serve in. Hereof I thought fit to advertise your Lordships, that you might rather pity than expect extraordinary successes from me."[3] So he wrote to the Council on the 1st of April; charging the bearer at the same time with a verbal message for the Queen to this effect: he would do his best to discharge both offices himself, but begged that his successor might quickly be sent after him—for "he that should do two such offices, and discharge them as he ought, should not value his life at many months' purchase."[4] And though he can hardly have meant so petulant a proceeding to be well taken, the offence which it naturally gave was accepted as another grievance. "As for Sir Christopher Blount's ill-success, or rather mine for him, I fear it will be semble to all my speed when I sue or move for anything. I sued to her Majesty to grant it out of favour, but I spake a language that was not understood, or to a goddess not at leisure to hear prayers. I since, not for my sake but for her service sake, desired to have it granted: but I see, let me plead in any form, it is in vain. I must save myself by protestation that it is not Tyrone and the Irish rebellion that amazeth me, but to see myself

[1] Lives of the Earls of Essex, ii. p. 44.
[2] not *all:* see p. 148.
[3] Lives of the Earls of Essex, ii. 17.
[4] Ibid. p. 21.

sent of such an errand, at such a time, with so little comfort or ability from the Court of England to effect that I go about."[1] To leave Sir Christopher behind however was not his intention. He had not really sent him back; and upon a second letter from the Council, he agreed, though he were "utterly unprovided of all things necessary for such a journey," to take him. "But, my Lords, (he added) it must be all our devout prayers to God and our humble suit to her Majesty that she will be as well served by her vassals as obeyed; and that when she[2] grants not the ability she will not expect nor exact great performance. For myself, if things succeed ill in my charge I am like to be a martyr for her: but as your Lordships have many times heard me say, it had been far better for her service to have sent a man favoured by her, who should not have had these crosses and discouragements which I shall ever suffer. Of your Lordships[3] I do entreat that you will forget my person and the circumstances of it, but remember that I am her Majesty's minister in the greatest cause that ever she had; that though to keep myself from scorn and misery it shall be in mine own power, yet to enable me to reduce that rebellious kingdom of Ireland to obedience lies in her Majesty: for if I have not inward comfort and outward demonstration of her Majesty's favour, I am defeated in England."[4]

All this comes from a man who is setting out at the head of an army of 16,000 foot and 1500 horse—an army "as great as himself required, and such for number and strength as Ireland had never seen;"[5] carrying with him "three months' pay beforehand, and likewise victual, munition, and all habiliments of war whatsoever, with attendance of shipping allowed and furnished in a suitable proportion, and to the full of all his own demands;"[6] with commission "to command peace or war, to truce, parley, or such matter as seemeth best for the enterprise and the good of the realm;"[7] to pardon all treasons and offences; to bestow almost all offices; to remove all officers not holding by patent, and suspend such as held by patent; to make martial laws and punish the transgressors; to dispose of the lands of rebels; to command the ships; to issue treasure to the amount of £300,000 by the year, with liberty, by consent and advice of the Irish Council, "to alter that which was signed by the Lords in England,"—provided only that he did not exceed the sum of the

[1] Lives of the Earls of Essex, ii. p. 18. April 3.
[2] *he* in Captain Devereux's copy.
[3] Captain Devereux puts the full-stop after "Lordships." But I can hardly doubt that the punctuation, as I have altered it, represents the intended construction.
[4] Lives of the Earls of Essex, ii. p. 21. April 5.
[5] Moryson, p. 27.
[6] Proceedings of the Earl of Essex. See further on.
[7] Essex himself to Sir J. Harington. Nug. Ant. p. 245.

establishment;[1]—and all because one devoted dependant was not to have a seat in Council. Next came complaints about the arrangements for victualling, paying, and recruiting the army,—complaints which must at any rate have been premature,[2]—but expressed in the same style and still ending with the same burden: "compassion I myself shall not greatly need, for whatsoever the success may be, yet I shall be sure of a fair destiny. Only her Majesty and your Lordships must and will, I doubt not, pity Ireland, and pity the army under my charge, lest if you suffer your men in an out ravelin to be lost, you be hardly afterwards able to defend the rampier."[3]

All this, it will be observed, was on the way between London and Beaumaris, before he had arrived at the scene of action, and while his commission was not a fortnight old. And never surely was a formidable enterprise commenced in a humour so inauspicious; a humour which in a man personally brave and constitutionally sanguine is very hard to understand without supposing that he had something or other in his head besides the faithful performance of it.

6.

Still harder is it without some such supposition to understand his proceedings after he did arrive at the scene of action. Whatever differences of opinion there had been in the Council, upon one point they were all agreed—that the attack was to be upon the heart and stronghold of the rebellion, and that measures were to be taken to keep the mastery when gained: a policy which no one had urged more vehemently than himself. On the 11th of April, when he was on the point of embarking, he had censured the "drawing of the troops into idle miserable journeys, whereby he should find them unserviceable when he came," as a main error of the Irish Government, requiring his instant presence to correct. On the 15th he landed in Dublin, and called for a report of the state of the country. He found that the rebel forces amounted altogether to upwards of 18,000 foot and upwards of 2000 horse; that nearly half of these were in Ulster, the northern extremity of the island, Tyrone's own country, from which the whole rebellion was nourished and spread: that in Leinster, the central province lying round the English pale, there were about 3000: in Connaught, to the west, about as many more; and in Munster, the south-western extremity, most distant from the heart of the re-

[1] Moryson, pp. 29, 30.

[2] See Sir John Harington's letter to Mr. Combe:—"I must not forget nor cease to tell of her Majesty's good, wise, and gracious providings for us her captains and our soldiers," etc.—Nug. Antiq. i. p. 260.

[3] April 11. Lives of the Earls of Essex, p. 23.

bellion, and in which all the cities and port towns, almost all the castles, and many great lords and gentlemen still held for the Queen, —about 5000:[1] also that Tyrone meant to make two several heads of rebellion, one in Ulster, and the other in Connaught. How then will he begin?

He *proposed* to begin with an attack on Tyrone in Ulster. But being advised by the Council to put it off till the middle of June or the beginning of July, when grass and forage would be more plentiful, cattle fatter, and means of conveyance more complete, he readily acquiesced; and as he acquiesced on this occasion without complaining of crosses and discouragements, I presume that he had no personal inclination the other way. Instead of a march towards Ulster then, a "present prosecution in Leinster, being the heart of the whole kingdom," was resolved on. This resolution having been forwarded to the Council in England on the 28th of April, and allowed by them on the 8th of May, on the 10th he set out—professedly to set on foot this "present prosecution in Leinster." And if six weeks must pass before the main action could be attempted with advantage, it would certainly seem that they might have been well spent in recovering and making secure those parts which lay next to the seat of Government and within easy reach of all resources,—a work which might serve to exercise the army without wasting it. This however was not what he did, or attempted, or apparently ever intended, to do. He began it is true with a march through Leinster, for he had to march through it before he could get out of it. But he took his course straight for the borders of Munster. No sooner was he there than he sent word that he had been persuaded by the President of that province "for a few days to look into his government." And thereupon, without waiting for instructions from either Council,[2] he proceeded to march his troops up and down Munster,— to the south as far as Clonmel on the southern border of Tipperary, then to the north-east as far Askeaton on the northern border of Limerick, then south again as far as Killmalloch; thence (the necessities of the army, now short of food and ammunition, obliging him to think of returning[3]) south-east to Dungarvon, and so along the southern and eastern shores to Waterford, to Arklow, and back to Dublin;—forcing his passage everywhere through the rebel skirmishers, who gave way before him and closed after him; taking and garrisoning here and there a stronghold; displaying much personal

[1] Moryson, p. 32.

[2] By the time his letter was received at Greenwich he was in Limerick. His intention however of going into Munster appears to have been known to Sir R. Cecil on the 23rd of May. See Winwood's Memorials, i. 40.

[3] Sir James Ware's narrative. Birch, ii. p. 406.

activity and bravery,—a shining figure still in the eyes of the soldiers and probably in his own; welcomed with Latin orations and popular applause as he entered the principal towns; and writing plaintive letters home about ill-usage and discouragement;[1] but exhausting his troops, consuming his supplies, and getting nothing effectually done;[2] —insomuch that when he returned to Dublin on the 3rd of July,—the season when it had been agreed that the great business of the campaign was to begin,—though the grass had grown and cattle were in condition and the means of transport ready, the *army* (what with marches, skirmishes, garrisons, disease, and decimation) was more than half wasted away, and the remnant greatly discouraged.[3]

7.

Still as in this matter at least he had taken his own way entirely, his only complaint being that the way he had taken was not better liked at home, to plead inability now to proceed with the appointed work, would have been to admit his own error. And therefore all disadvantages notwithstanding—disadvantages to whom attributable he does not say—he professed himself ready to undertake it. "Albeit the poor men that marched with me eight weeks together be very weary and unfit for any new journey, and besides the horsemen so divided that I cannot draw 300 to an head, yet as fast as I can call these troops together I will go look upon yonder proud rebel; and if I find him on hard ground and in an open country, though I should find him in horse and foot three for one, yet will I by God's grace dislodge him, or put the Council to the trouble of choosing a new Lord Justice."[4] This was written on the 11th of July. So that if Tyrone should prove fool enough to quit his position of advantage and risk his cause in a battle on open ground, *something* might yet be done towards the accomplishment of the one object for which Essex had been sent out. He might be beaten back into his woods and bogs.

[1] "But why do I talk of victory or success? Is it not known that from England I receive nothing but discomforts and soul's wounds? Is it not spoken of in the army that your Majesty's favour is diverted from me," etc., and a page more of the like. Essex to the Queen. June 25.

[2] "Neither in all that journey was anything done greatly worth speaking of, but the taking of Cathyre and one or two castles beside."—Sir J. Harington to Mr. Combe. Nug. Ant. p. 254.

[3] "Towards the end of July [qu. June] his Lordship brought back his forces into Leinster, the soldiers being weary, sick, and uncredibly diminished in number; and himself returned to Dublin. All that his Lordship had done in this journey, besides the scattering of the rebels' weak troops, was the taking of Cahir castle, and receiving the Lord of Cahir, the Lord Roche, and some others, into her Majesty's protection; who after his departure did either openly fall again to the rebels' party, or secretly combine with them."—Moryson, p. 37.

[4] Birch, ii. 421.

This it seems was all: but even for this matters were not yet quite ripe. For the recommendation of the Irish Council to employ the interval in making things secure in Leinster having all this time been utterly neglected, it now appeared that there was work to be done there before the Ulster expedition could be commenced. So before the dispatch of the 11th of July could be answered, a second had arrived reporting disorders in Ophaly and Leix which Essex was going person to subdue. These do not seem to have been so formidable but that a second in command might have been trusted to deal with them, for they were easily suppressed, but they were enough to cause further delay[1] and to reduce yet more the effective strength of the army: insomuch that the Earl now declared he could not go against Tyrone without a reinforcement of 2000 men. If he expected a denial, which might have served for an excuse, he was disappointed. A reinforcement of 2000 men from England had been sent in July, and he now received authority to levy 2000 Irish besides.[2] And though the Irish Council began now to dissuade the enterprise altogether,[3] he was resolved to proceed with it. But first, in order to divide Tyrone's forces he ordered Sir Conyers Clifford, Governor of Connaught, to make an attack or demonstration upon his western borders—himself, the better perhaps to throw him off his guard on the south and east, remaining still in Dublin. What effect this might have had we cannot know; for at the end of the second day's march Sir Conyers's whole force was, through some of the unaccountable accidents of war, repulsed in a pass by a party of rebels not above a third of their number, himself slain, and the expedition stopped.

8.

By this time August was half spent, and Tyrone had not yet been so much as harassed or put on his defence. But now Essex was really determined to do something. It was time "to pull down the pride of the arch-traitor, to redeem the late scorn of the Curlews [the scene of Clifford's disaster], and hold up the reputation of the army."[4] He must "revenge or follow worthy Conyers Clifford."[5] Ulster was to be invaded at last. And now the Lords, Colonels, and Knights of

[1] News of the success reached England on the 5th of August. Syd. Pap. ii. 113.

[2] "Besides the supplies of two thousand *arriving in July*, he had authority to raise two thousand Irishmen, which he procured by his letters out of Ireland with pretence to further the northern journey."—Proceedings of the Earl of Essex. See further on. If the date *July* be correct, the two thousand from England must have been sent upon a previous requisition.

[3] Ib. p. 132. See also R. Whyte's letter, 11th Aug. Syd. Pap. ii. p. 115.

[4] Declaration of the Captains, etc., printed in the 'Lives of the Earls of Essex,' p. 54.

[5] Letter to the Queen. Ib. p. 56

the army were called into Council, to say "in what sort a present journey thither might be made." Their answer was that "they could not with duty to her Majesty and safety of this kingdom advise or assent to the undertaking of *any journey far north*:" their reason being in substance this—that the effective strength of the army being now not more than 3500 or 4000 at the most, it would not be practicable to secure any of the objects of such a journey. This report, dated 21st of August, the Earl forwarded to England,—not however as a reason for abandoning the expedition altogether, but by way of preparation for the issue of it. For he still meant to "look upon" Tyrone, and give him the opportunity of having his pride pulled down, if he chose to accept it.[1]

How it came that a two months' campaign in summer without any considerable action had reduced an army of 16,000, lately increased by 2000 more, to "4000 at the most," does not appear to have been explained. One explanation which suggested itself was that a large portion had been placed up and down the country in garrisons,[2] in which case it might be forthcoming for other work, though not for this. And the whole story was so strange that the Queen began to suspect some underhand design, and to speak freely of Essex's proceedings as "unfortunate, without judgment, contemptuous, and not without some private end of his own." To Bacon among others she spoke in this strain: whereupon he, who as I have already observed was not without his own apprehensions on that head, and was extremely anxious to withdraw Essex from the means of mischief, took occasion to ask whether it would not be better to send for him and satisfy him with honour at home, and to have him at Court again "with a white staff in his hand as my Lord of Leicester had;" for, said he, "to discontent him as you do and yet to put arms and power into his hands may be a kind of temptation to make him prove cumbersome and unruly."[3] This advice however—whether from fear to provoke him further, as Camden suggests, or because (as I think more likely) she had gone long enough on the plan of buying off his contumacies with rewards—she did not think fit to follow. She had already (30th July) forbidden him to leave his post without licence, and now (taking the precaution of putting the country under arms upon pretence of an apprehended attack from Spain[4]) she resolved to

[1] "If he have as much courage as he pretendeth, we will on one side or the other end the war."—Essex to the Council, Aug. 30. Lives, p. 68.

[2] "For the small proportion you say you carry with you . . . it is past comprehension; except it be that you have left too great numbers in unnecessary garrisons," etc.—The Queen to Essex, 14th Sept.

[3] Apology.

[4] See Bacon's MS. addition to Camden, Works, vol. vi. p. 359.

demand from him a strict account of what he had done and what he meant to do.

He in the meantime, having (as I said) for some reason or other resolved to prove to Tyrone that he was not afraid of coming within sight of him, though at the cost of proving that he durst do no more, had taken his usual precaution against interference. Without waiting for the effect of his last intelligence, he made his preparations, and within a week was on his march to fulfil his promise of "looking on yonder proud rebel;" having meanwhile merely sent word to England that he could not spare for the service more than 2500 men. On the 3rd of September he did look upon him; saw him, with a force twice as large as his own, on a hill a mile and a half off, across a river and a wood; and drew up his own army on the opposite hill; next day marched along the plain, Tyrone marching parallel but keeping the woods; then halting for supplies, took counsel; was advised by all not to "attempt trenches" with a force so inadequate, but to content himself with placing a strong garrison in some castle thereabouts, and "*since they were there*," to draw out one day and offer battle;[1] on the 5th refused an invitation to parley; on the 6th drew out and offered battle on the first great hill he came to, then on the next and the next till he came to the hill nearest the wood; there waited: in vain: Tyrone would not charge up hill (indeed why should he fight at all? had he not by simply staying where he was already in effect defeated the greatest army ever seen in Ireland?), but wanted to speak with him: on the 7th *accepted* an invitation to parley: met the proud rebel at a ford; talked with him privately for half an hour; and finding him reluctant to state upon what conditions he would return to obedience, for fear they should be sent into Spain (!), "was fain to give his word that he would only verbally deliver them;"[2] on that condition heard them; next day concluded a truce with him for six weeks, continuable by periods of six weeks till May-day, and not to be broken without a fortnight's warning; for the performance of the covenants received Tyrone's oath in exchange for his own word; on the 9th "dispersed his army; and went himself to take physic at Drogheda, while Tyrone retired with all his forces into the heart of his country."[3]

9.

Such then was the sum of Essex's achievement. He had not weakened Tyrone by hurting a man or occupying a place of strength or

[1] Journal, printed in 'Nugæ Antiquæ,' i. 296.
[2] Essex's own statement, see further on, p. 146.
[3] Journal, 'Nugæ Antiquæ,' i. p. 301.

obtaining an advantage anywhere north of Dublin. But he had heard him "open his heart"—learned "where the knot was which being loosed he protested all the rest should follow;"[1] and in the meantime had gained from him a promise upon his oath not to renew hostilities without giving a fortnight's notice.

What more he *hoped* to effect by negotiation afterwards, or what success he might have had, we cannot judge; for Tyrone's promises were not to be committed to paper, and after this he was not himself allowed to do what he pleased. But it is important to observe that up to this point all he had done was both in design and execution his own doing. For though many of his proceedings had been disapproved, he had so contrived that not one of them could be prevented. There is no dispute about any of the facts which I have related; for I have confined myself to such as were then known and were never contradicted. Those which came out afterwards (when his later actions leading to more diligent inquiry suggested an interpretation of these which had not yet been suspected) will be more conveniently noticed hereafter. It is enough here to remark that the story as it stands is strange—that the course he has taken requires explanation, and is not at all explained by the admitted facts of the case compared with the avowed objects of the campaign. For though I should myself be inclined to make a good deal of allowance for him on the ground of natural incapacity—incapacity to resist the impulse of the moment—and could almost believe that his campaign in Munster was made in good faith, each successive move being suggested by the hope of gaining some prize or the necessity of avoiding some danger near at hand, without due consideration of the main issue; and that the exhaustion of his forces before the proper business of the campaign had begun really came upon him as a surprise; yet when I consider the avowed purposes with which he set out, and his reputation as a commander not only with the Government but with the captains of his army (who do not usually like an incompetent General); and especially when I read his own letters, which while they complain so piteously of his hard condition in not receiving public and private demonstrations of confidence, show no trace of dissatisfaction with himself or his own proceedings; I certainly find it hard to believe that an effectual attack upon the stronghold of the rebellion in the North was ever seriously intended by him. He did indeed admit *afterwards*, and by implication, that the Munster journey was an error; for he excused it as undertaken by advice of the Irish Council against his own judgment. But did he oppose it at the time? I think not. He was not usually so submissive to Councils, and if he

[1] Essex's own statement. See further on, p. 155.

had seriously disapproved of the postponement of the northern action and told the Queen so, there can be little doubt that the advice of the Irish Council would have been overruled and he would have been instructed to proceed. If on the other hand he assented to their advice upon the grounds by them alleged, he was merely postponing the main service for a month or two, in order that it might be prosecuted more effectually in June or July; and if he found himself then, from whatever cause, without the means of doing anything, he must at least have felt that a fatal error had been committed,—that he stood responsible for nothing less than the utter failure of the whole year's work; and must have been anxious to explain how this happened. The conclusion of such a truce, under such circumstances, he could not possibly regard as anything less than an acknowledgment of defeat. Nobody had ever found any difficulty in bringing Tyrone to terms of truce, nor had any truce ever been concluded with him on terms so much to his advantage. In April, when sixteen thousand men were ready to take the field, the offer of such terms, though impolitic, would have passed for lenity on the part of the government: for the alternative would have seemed to be war, with the chances of success all on that side. But in September, when it was evident that no offensive movement could be attempted, the acceptance of them was an act of moderation on the part of Tyrone. The power of England had been put forth in a great effort, had not succeeded even in distressing him, and did not now dare to attack him, and yet he was content to make the truce. Is it conceivable that a man like Essex, if he really left England in April with an intention to put an end to the rebellion and "achieve something worthy of her Majesty's honour," would in September have condescended to such a conclusion without a sense of humiliation and an acknowledgment of failure?

It is true that in his real designs, whatever they may have been, he succeeded no better. But any disappointment on that score (supposing those designs to have been such as he could not avow) he would of course keep to himself. He expected, no doubt, to be in a very different position from that in which he found himself. A triumphant progress through the south of Ireland, with the rebels everywhere submitting, the army flushed with success and passionately devoted to their favourite General, all Munster reclaimed to obedience, victory setting on his helm and swift unbespoken pomps attending his steps, —results which he may easily have dreamed of,—would have made him a dangerous man to contradict, and put his enemies under his feet; all the more if the head of rebellion in the North had still to be broken; for in that case he must have been the man to do it, and must have had another army to do it with. We shall see hereafter

what sort of power in the state he thought it for the good of the kingdom that he should possess. We know that he was all this time in an angry humour of discontent, and swelling with undigested mortifications. And to me it seems not improbable that to place himself in this position was his *first* object in undertaking the service, to subdue the rebellion his second; and that he had persuaded himself to regard the one as a necessary step to the other.

Upon this supposition, his course is at least intelligible. Upon this supposition I can understand why he objected to the appointment of Lord Montjoy and forced the service upon himself; why in England he insisted so earnestly upon the necessity of making a real end of the war, and in Ireland yielded so readily to all propositions for postponing it; why he made a point of taking so large a force and being trusted with such unlimited power, and filling the places of importance with such men as Blount and Southampton; why he hurried his army as fast and as far as he could *away from* the proper scene of action and out of reach of instructions; why in his dispatches he never explained his plan of operations, but sent home only meagre journals of each day's proceeding; why he arranged all his movements so that the government had no means of checking him; why after he knew and even avowed that his men were unfit for the northern action, he continued to talk so confidently of proceeding with it; why having postponed it till it was too late, he insisted on making a demonstration of it when it *was* too late, and having at the end of August declined to give it up because nothing could be done, was content to end it on the 8th of September without attempting to do anything; and lastly, why from the beginning to the end of this miserable business he maintained the tone of a much injured man, doing all that mortal could, and never failing in anything unless through the fault of his employers in not trusting, encouraging, and applauding him. In spite of appearances he must still be believed to be the only man who could bring Ireland to obedience; for through this it was that he looked to right himself against his enemies. And to make people believe this as things now stood, his best chance was to assert it confidently. Those who think him incapable of a false pretence and only unlucky and ill-used, must reconcile these facts with their theory as they best may; a thing which I have never seen attempted. For my own part I can find no point of view from which the true history of his proceedings does not seem incredible, except upon the supposition that he was playing a double game of some kind. That he had not played it skilfully is not surprising, for his virtues as well as his faults stood in his way; and from this time it became still more difficult. The pause which followed the truce gave the Queen an oppor-

tunity at last of putting in her own word with effect. Hitherto he has been managing in his own way a business of his own undertaking: he now finds himself in a position for which he was not prepared, and must manage as he can.

10.

A month before, when the Queen heard of the second postponement of the Ulster expedition, she had forbidden him (not knowing what in his then temper he might do next) to leave Ireland without her express warrant. When she heard in the beginning of September that, though he had received the reinforcements which he required for that service, he meant after all to go no further than the frontiers and with a force avowedly too weak to do any good, she repeated that prohibition; recited in terms of strong and just remonstrance the history of his professions and performances; and since it appeared by his own words that nothing could be done this year against Tyrone and O'Donnel, commanded him and the Council to fall into present deliberation and send over in writing a true declaration of the state into which they had brought the kingdom; what effect this journey had produced, and in what kind of war, where, and in what numbers, they thought the remainder of the year should be employed; and then to wait for directions. But Essex was now in a hurry. Her letter to this effect had scarcely been written, when another messenger arrived with news of the conference with Tyrone and the appointment of Commissioners to treat with him. This intelligence (accompanied with an assurance that nothing would be concluded till her pleasure were known, but without any particulars either of the conference or the commission) reached the Court on the 16th of September; and on the 17th the messenger was sent back with her reply. Since he had not told her what passed on either side at the conference, or what the Commissioners had in charge, she did not know what conjecture to make of the issue: but whatever the conditions might be, if oaths and pledges from Tyrone were to be the only security for performance, what would they avail?

"Unless he yield to have garrisons planted in his own country to master him,—to deliver Oneal's sons, whereof the detaining is most dishonourable,—and to come over to us personally here,—we shall doubt you do but piece up a hollow peace and so the end prove worse than the beginning. And therefore, as we do well approve your own voluntary profession, wherein you assure us that you will conclude nothing till you have advertised us and heard our pleasure, so do we absolutely command you to continue and perform that resolution. Pass not your word for his pardon, nor make any absolute contract for his conditions, till you do particularly advise us

by writing and receive our pleasure hereafter for your further warrant and authority in that behalf."

11.

What was to be done now? Though Essex had taken care to dispatch his messenger the day *before* the Commissioners met,—thinking I suppose that the case being incomplete the decision would be deferred,—he could not contrive this time to be involved in a fresh action before the answer arrived. The truce being concluded and the army dispersed, he had now no pretext for postponing explanations. The campaign was over. The question was, what had been done? A question indisputably fair and reasonable; though to put on paper an answer to it which had a chance of being considered satisfactory was no easy matter. For whatever might be said in justification of this or that item of the account, the totals must stand thus: —Expended, £300,000 and ten or twelve thousand men: received, a suspension of hostilities for six weeks, with promise of a fortnight's notice before recommencing them, and a verbal communication from Tyrone of the conditions upon which he was willing to make peace. The obtaining of this information was in fact the Earl's great achievement. And if he had indeed induced Tyrone to offer conditions really satisfactory, he had deserved well of his country after all, and for his discharge had only to produce them. But here was a new difficulty. The Queen required a report in writing. Now Tyrone, fearing that if the conditions were committed to paper they would be communicated to Spain, had made him promise to deliver them verbally. The evidence of this otherwise incredible fact is still extant in Essex's own declaration under his own hand. If the statement had proceeded from anybody else, or if the words had been less precise, I should have suspected a mistake: I should have suspected that the promise was not exacted by Tyrone—for what difference could it make to him whether Essex made a verbal or a written report of what he had said, or which of the two were communicated to Spain, so long as he did not himself sign either?—but volunteered by Essex himself, for the very purpose of putting it out of his power to make a report in writing, and of thereby compelling the Queen to send for him. But his words can bear only one meaning. "The conditions demanded by Tyrone I was fain to give my word that I would only verbally deliver, *it being so required of him before he would open his heart;* his fear being lest they should be sent into Spain, as he saith the letter with which he trusted Sir John Norreys was."[1] If

[1] See a paper " in Essex's handwriting, indorsed by Sir R. Cecil, '30th Sept.,

the stipulation really proceeded from Tyrone, it must have been by way of bravado; and certainly if he wanted a written record of the fact that he had negotiated the truce on terms of acknowledged superiority, he could have nothing better than such a statement as this. But however it came about, it served Essex now as a pretext for going over to England—the Queen's repeated commands to the contrary notwithstanding. And since it happened that these mysterious conditions amounted to nothing less than what we should now call "Ireland for the Irish," and were such as the Queen could not be asked to grant except on the assumption that Tyrone was master of the situation and must be allowed to make his own terms —a view which it seemed she was not yet prepared to take—it was necessary to go provided with the means of convincing her. Reason, in such a case, he could not trust to. It was his old complaint that he could never do her service but against her will.[1] The Court and Council were full of "enemies," in whose hands he could not safely trust himself. What should he do? On receipt of the Queen's last letter (which having been dispatched from Nonsuch on the 17th of September could hardly reach him before the 21st or 22nd), he held a consultation with his confidential friends Blount and Southampton; told them (this is Southampton's own statement, attested by Nottingham, Cecil, and Windebank, to whom it was made, published at the time to all the world, and never contradicted or retracted, though Southampton lived many years after with every motive for doing so if he could) "that he found it necessary for him to go into England, and thought it fit to carry with him so much of the army as he could conveniently transport, to go on shore with him to Wales, and there to make good his landing till he could send for more: not doubting but his army would so increase in a small time, that he should be able to march to London and make his conditions as he desired."[2] That he seriously meditated such a design seems monstrous: but I find it impossible to doubt the fact; and the impossibility of either disputing it or reconciling it with the popular view of his character is implied in all our modern popular narratives of this business; which with one

1599: A relation of the manner of government of the kingdom of Ireland, as the Earl of Essex left it, and hath now delivered it under his own hand.'" S. P. O. Ireland.

[1] Lives of the Earls of Essex, i. p. 340.

[2] Appendix to 'Declaration of Treasons,' etc., published by authority in 1601. There is some doubt however about the exact date of the conversation. In the examination of Blount, signed by himself, which has just been printed from the Hatfield MSS., it is said to have been "some days *before* the Earl's journey into the North." But as I suspect some mistake,—for it is expressly stated in the 'Declaration of Treasons' that he was not known to have communicated his design to anybody before his conference with Tyrone,—I leave my story as it was.

accord forget to mention it.[1] To any one however who seriously desires to find the true meaning of his proceedings and what sort of subject he really was, it must appear a fact far too significant to be left out of account. A subject making his own conditions with the Government at the head of an army is a successful rebel; and successful rebellion without bloodshed was no doubt what he wished,—may have been what he hoped. But knowing as he did that England had been in arms at very short notice only a month before, *civil war* is what he must have expected and been prepared for. Nor was it that consideration which deterred him from the project. He gave it up because the two friends whom he most trusted, having taken a night to think it over, concurred in protesting against it.

They agreed however (at least Blount did) that he must not go without force enough for his personal protection. It was foreseen that he would probably be placed under some restraint. And as they could not tell how much was known or suspected by the Government of what was known to themselves, a committal, unless it were to friendly hands, might prove dangerous. To guard against this danger, Blount advised him "to take with him a good train and make sure of the Court, and then make his own conditions;" or (as he expressed it on another occasion) "to take a competent number of choice men, who might have secured him against any commitment, unless it were to the houses of the Archbishop of Canterbury, the Lord Keeper, or Sir W. Knolles."[2] This advice he followed. And accordingly, on the 24th of September, he surprised the Irish Council by swearing in two Lords Justices; and at 10 A.M. on the 28th, surprised the Queen at Nonsuch by appearing in her bedchamber, before she was drest for company, full of dirt and mire. There had come over with him "the most part of his household and a great number of captains and gentlemen,"[3]—though only six accompanied him from London to Nonsuch.

It is a remarkable proof of the charm which his personal presence exercised over the Queen, that her first emotion on seeing him was pleasure. So deeply as she had been displeased with all he had been

[1] This was written before the appearance of Mr. Hepworth Dixon's 'Personal History of Lord Bacon;' and of Mr. Bruce's 'Secret Correspondence of James VI. of Scotland with Sir Robert Cecil,' where the fact has due prominence given to it (Camden Soc. 1861).

[2] Note of Sir Christopher Blount's confession, made on the 5th of March, 1600. S. P. O.

[3] R. Whyte to Sir R. Sydney, Michaelmas Day at noon, 1599 (Syd. Pap. ii. 128); and again, 3rd Oct.: "His Lordship's sudden return out of Ireland brings all sorts of knights, captains, officers, and soldiers, away from thence; that this town is full of them. . . . The most part of the gallants have quitted their commands, places, and companies, not willing to stay there after him; so that the disorder seems to be greater there than stands with the safety of that service" (Ib. 131).

doing during the last half-year, and with such deep cause,—his very latest communication having brought the displeasure to a climax,—one would have thought she would have been in no humour to pardon this new act of daring disobedience. But so it was that when he went to his room presently to wash his face and change his dress, he was observed to be "very pleasant—and thanked God that though he had suffered much trouble and storms abroad, he found a sweet calm at home." As soon as he was dressed he had another interview, which lasted an hour and a half: and still all was well. "He went to dinner, and during all that time discoursed merely of his travels and journeys in Ireland, of the goodness of the country, the civilities of the nobility that are true subjects, of the great entertainment he had in their houses, of the good order he found there. He was visited frankly by all sorts here of lords and ladies and gentlemen; only strangeness is observed between him and Mr. Secretary and that party."[1] What face he had put upon the matter as yet to make this fair weather we do not know. Perhaps the Queen let him tell his own story, and postponed questions and remarks to the afternoon; and he, who had apprehended a different kind of reception, mistook silence for satisfaction. After dinner she did seem so well satisfied: many things had to be explained: the Lords of the Council must talk to him. He was with them for an hour that afternoon: the result not known: only that night between ten and eleven he was commanded to keep his chamber.

12.

Bacon not being at Court does not appear to have heard of his arrival till the next day; for the first news he had of it was accompanied with the intelligence that he had been committed to his chamber for leaving Ireland without the Queen's licence. And it must have been on hearing this that he wrote him the following letter: which comes from Rawley's supplementary collection, and has no date. Bacon, it will be remembered, was not at this time aware of what Essex had been doing, beyond what everybody knew of the general course and result of the campaign. He knew that he had done no good, but not how far he had gone in evil beyond his darkest apprehensions. He took his present arrival for one of his rash and dangerous acts, but of the real nature of it, which was not known till long after, he had no notion.

[1] Syd. Pap. ii. 131.

To my Lord of Essex.[1]

My Lord,

Conceiving that your Lordship came now up in the person of a good servant to see your sovereign mistress, which kind of compliments are many times *instar magnorum meritorum*, and therefore that it would be hard for me to find you, I have committed to this poor paper the humble salutations of him that is more yours than any man's and more yours than any man. To these salutations I add a due and joyful gratulation, confessing that your Lordship, in your last conference with me before your journey, spake not in vain, God making it good, That you trusted we should say *Quis putasset?* Which as it is found true in a happy sense, so I wish you do not find another *Quis putasset* in the manner of taking this so great a service. But I hope it is, as he said, *Nubecula est, cito transibit:* and that your Lordship's wisdom and obsequious circumspection and patience will turn all to the best. So referring all to some time that I may attend you, I commit you to God's best preservation.

This letter was probably written at Nonsuch, whither (it being of the first importance to lose no time in putting the Earl in the right way at so critical a juncture) Bacon immediately repaired. He succeeded in getting a quarter of an hour's private conversation with him, of the effect of which we have his own report. "He asked mine opinion of the course that was taken with him. I told him, My Lord, *nubecula est, cito transibit.* It is but a mist. But shall I tell your Lordship it is as mists are: if it go upwards it may perhaps cause a shower: if downwards, it will clear up. And therefore, good my Lord, carry it so as you take away by all means all umbrages and distastes from the Queen: and especially, if I were worthy to advise you, as I have been by yourself thought, and now your question imports the continuance of that opinion, observe three points: First, make not this cessation or peace which is concluded with Tyrone as a service wherein you glory, but as a shuffling up of a prosecution which was not very fortunate. Next, represent not to the Queen any necessity of estate whereby as by a coercion or wrench she should think herself enforced to send you back into Ireland; but leave it to her. Thirdly, seek access, *importune, opportune*, seriously, sportingly, every way.—I remember my Lord was willing to hear

[1] Rawley's 'Resuscitatio,' Supplement, p. 86.

me, but spake very few words and shaked his head sometimes, as if he thought I was in the wrong—but sure I am he did just contrary in every one of these three points."[1]

The truth was that the constitution of Essex's case was not sound enough to bear this kind of treatment. The secrets which he had left behind him in Ireland were not all in such safe custody as that which he had left with Blount and Southampton. He had come over, hoping by his personal influence to obtain a sanction for what he had done (which he could not hope to do by any written communication), and thereupon to be sent speedily back again, and so to put the breadth of St. George's Channel between him and the Queen's guard; within reach of which he could not now have felt easy. That this was his aim, and what the pretexts were upon which he hoped to succeed in it, will appear from his own statement. But this being a new aspect of the game, I will let it begin a new chapter.

[1] Apology.

CHAPTER VII.

A.D. 1599–1600. ÆTAT. 39–40.

1.

THE gentleness with which the Queen welcomed Essex on his sudden appearance was probably an impulse of nature. It was a pleasure to see his face, and the pleasure expressed itself in her behaviour. But whether inspired by nature or policy, it was a lucky inspiration. She did not know of the train of "choice men" that had come over with him, nor of the spirit that animated them: concerning which an anecdote told by Camden—and told as in favour of Essex without any hint of doubt as to its correctness—gives some light. On the road from Lambeth to Nonsuch, the Earl was outridden by Lord Grey of Wilton—an "enemy,"—that is, one of the other party; who being overtaken by one of the Earl's company and asked (as on his behalf, though not by his desire) to let him ride before, replied that he had business at Court, and pushed on.[1] Upon which (adds Camden) "Sir Christopher St. Lawrence offered his services to kill both him in the way and the Secretary in the Court. But the Earl, hating from his soul all impiety, would not assent unto it."[2]

Now though Essex was not prepared to begin with two murders in cold blood before a finger had been laid or threatened to be laid upon himself, it does not follow that he was not prepared to use such services in self-defence. And the very offer (if the story be true) implies a spirit in his followers which was not likely, upon the approach or appearance of danger, to be nice as to modes of rescue. A rough reception at Court reported in London would have brought back many swords as ready for business as St. Lawrence's, and made a hot evening at Nonsuch.

The course which the Queen took avoided this danger. Friday brought news that he had been received graciously and all was well. Saturday that he was commanded to keep his own chamber till the

[1] Syd. Pap. ii. 128.

[2] Camden, vol. iii. p. 716. The words of the original are: "S. Laurentius operam ad eum in viâ et Secretarium in Aula occidendum detulit. Sed Comes omnem impietatem ex animo perosus, hoc noluit."

Lords of the Council had spoken with him. Sunday that he had been heard, and that his answers were under consideration. Monday that he was committed to custody; but to the custody of the Lord Keeper, his principal friend in the Council; and removed to York House, where he remained, secluded from company by his own desire.[1] And it being understood all this while that the Council were satisfied with his explanations, and that the restraint was a matter of form used for the sake of example, and likely to be soon over,[2] there was nothing even for the most reckless of his friends to ground any violent proceeding upon.

What he might have adventured had his actions been disapproved and disavowed, and yet himself left free, must be left to conjecture. The line he took, as matters stood, was to profess extreme submission and humility, with a desire to leave wars and council-boards, and betake himself to a private life.[3] I say to *profess;* for it was certainly not a state of mind in which he was going to rest, and it may be doubted whether it was sincere even for the time. Perhaps he did not himself know. For he was now once more in a position which he had not reckoned upon. Of his conferences with the Council (which were very private) we have no detailed account: and the rumours which got abroad cannot be depended on, being only what the Court wished to be believed at the time. But the paper which he drew up immediately after his first examination, and of which I have already quoted part, proves that he had not then any intention of retiring, but meant to represent himself as the only person who could manage the Irish difficulty, and upon that ground to be sent back immediately. After explaining what provisions he had made for the government of affairs there, he adds, "But I promised to send over daily advices and directions as soon as I had spoken with her Majesty and my Lords, and to give directions also and comfort to such of the Irishry as were principal instruments for her Majesty in that kingdom, *and to return with all expedition.* If only by my coming away and Tyrone's perfidiousness any disaster had happened, I would have recovered it or have lost my life: *for I have a party there for her Majesty besides her army.* But now, when they shall hear of my present state, and shall see no new hopeful course

[1] "No man goes to him, nor he desirous to see any."—R. Whyte, 6th October, 1599. Syd. Pap. ii. 132.

[2] Cecil to Neville, 8th Oct., 1599. Winw. Mem. i. 118. And R. Whyte to Sir R. Sydney, 13th, 16th, and 25th of October. Syd. Pap. pp. 133–5.

[3] "He remains still at my Lord Keeper's, very humble and submissive, wonderfully grieved at her Majesty's displeasure towards him. It is given out that if he would desire his liberty and go to Ireland again, he should have it. But he seems resolved never to go thither again, nor to meddle with any matter of war or state, but only lead a private country life."—Syd. Pap. ii. 132.

taken, I fear that giddy people will run to all mischief." In the same spirit, and no doubt with the same view, he represents himself in another place as the only man who can do any good with Tyrone. "With those that have heretofore dealt with him he [Tyrone] protested he would not deal in this free manner, nor by his will in any sort whatsoever; since he had no confidence that they could procure him that which only would satisfy him, or performance of all that was agreed on."[1] This is not the language of a man who means either to admit a failure or to resign to others the further prosecution of the business. And it agrees well enough with Sir R. Cecil's account of his avowed object in coming over (viz. "to acquaint her Majesty not with the goodness of Tyrone's offers in themselves, but with the necessity of her affairs, to which the offers were suitable"[2]) though it leaves one difficulty still in the way.

For what after all *were* these offers,—the best that he could obtain, and better than could be hoped for by any one else? A memorandum printed in the Winwood Papers (an inclosure I suppose in Cecil's letter last quoted), gives the particulars.

TYRONE'S PROPOSITIONS, 1599.

1. That the Catholic religion be openly preached.
2. That the churches be governed by the Pope.
3. That cathedral churches be restored.
4. That Irish priests prisoners be released.
5. That they may pass and repass the seas.
6. That no Englishmen be churchmen in Ireland.
7. That a university be erected upon the Crown lands.
8. That the governor be at least an earl and called Viceroy.
9. That the Lord Chancellor, Treasurer, Counsel of State, Justices of Law, Queen's Attorney, Queen's Scrjeant, etc., be Irishmen.
10. That all principal Governors of Ireland, as Connaught, Munster, etc., be Irish noblemen.
11. That the Master of the Ordnance be an Irishman, and half the soldiers.
12. That no Irishman shall lose his lands for the fault of his ancestors.
13. That no Irishman shall be in ward, but that the living during the minority shall be to the younger brothers or sisters.
14. That all statutes prejudicing the preferment of Irishmen in England or Ireland shall be repealed.
15. That neither the Queen nor her successors shall enforce any Irishman to serve her.
16. That Oneale, Odonnel, Desmond, and their partakers, shall have such lands as their ancestors enjoyed two hundred years ago.

[1] Relation of the manner of Government, etc. See above, p. 146
[2] Letter to Sir H. Neville, 8th Oct., 1599. Winwood, i. 118.

17. That all Irishmen shall freely traffic as Englishmen in England.
18. That all Irishmen shall travel freely.
19. That they may use all manner of merchandises wheresoever.
20. That they may use all manner of trades.
21. That they may buy all manner of ships and furnish them with artillery.[1]

Now can any one believe that Essex came over from Ireland intending to lay these propositions fairly before Queen Elizabeth, and hoping to persuade her that the man who had consented to entertain them was the man to do her work with rebels? Such terms proposed in an orderly way in Parliament or by petition in behalf of a loyal country, might (in these days at least) have much said for them; though some of the articles—the 16th for instance—could hardly in any circumstances be thought admissible. But coming from a rebel at the head of an undamaged army, treating with the remnant of the army which had been sent out to reduce him to obedience, what else could they appear than terms imposed by a conqueror? That a man of such a spirit as Essex should have entertained them at all, is strange and suspicious. That if he was acting simply and sincerely in the Queen's interest, he would ever have regarded them as conditions fit to be sanctioned except in the last resort,—or that even then he could have hoped to make them so easy of digestion to her that she must needs send him back to carry them out,—is to me incredible. The truth probably is that he did *not* intend to lay them fairly before her. "The conditions demanded by Tyrone" he says in his written statement, "I was fain to give my word that I would only verbally deliver." But he does not say that he *has* delivered them verbally: only that he has "already told her Majesty and the Lords *where the knot is*, which being loosed he hath protested that all the rest shall follow." As yet therefore I imagine that he had refrained, under plea of that promise of secrecy, from disclosing the particulars. And so long as he was allowed to keep them out of sight and only state in his own way what he chose to represent as the main difficulty, he might perhaps hope to make out a plausible case for being sent back to conclude the negotiations which he had begun. It was but a temporary shift, to be sure: for the Queen could never have let him go without hearing the particulars. But men in his position are fain to shift as they can. And when at last he did state Tyrone's propositions in detail—possibly upon a promise that they should not be divulged (for it is a remarkable fact that no detailed account of them is to be found in

[1] Winwood, i. 119.

any of the many public declarations made afterwards by the Government concerning these matters)—he manifestly felt that he had no case left. The time for carrying his end by violence according to Blount's advice,—the time for making sure of the Court and so making his own conditions,—had been let slip. He could now no longer hope to carry it by persuasion. His only resource therefore, while other projects were ripening (for that he had other projects on foot I shall show presently), was to assume the tone which was most likely to prevail with the Queen to set him free. The state of his health also had its influence, and may possibly through the depression of his spirits have made his purposes more than usually changeable. For he seems to have had a fit of real illness at this time,—long, serious, and depressing:[1] an illness which anxiety for the safety of his Irish secrets would naturally aggravate. At any rate there he remained, close prisoner though in friendly hands, seeing (or at least professing to see) nobody except by special warrant, and expressing himself as a man weary of the world.

2.

But though the danger of a violent rescue was avoided by the course taken, a danger of another kind was incurred. The *people* were still in the dark as to the whole matter. Some doubtful rumours had gone abroad as to the nature of the offences with which the Earl was charged: but upon what grounds of evidence they rested, and what he had to say in his own excuse, they were left to guess. They saw their favourite under displeasure and in restraint; and anything being more credible to them than that he could have given just cause for it, symptoms of popular dissatisfaction began to show themselves: the more dangerous because, as the Council were reported to be using their influence in his favour,[2] the unpopularity of the proceedings fell upon the Queen herself. And it was very true that if any one was to blame in the matter, it was she. She was acting for herself, under no influence or information except that of her own judgment and observation. Nor was there any one who had so good means of judging; or so good

[1] R. Whyte, 20th Oct., 23rd and 29th of Nov., and 13th Dec. Syd. Pap.

[2] 13th Oct.—"I hear that the Lords do very well like of his reasons, and that her Majesty by them is reasonably satisfied," etc. "I hear that Sir R. Cecil at his last being with him should say that he was glad to see her Majesty well pleased with his courses, and that he would do anything to further his good and contentment: which my Lord thanked him for."

16th Oct.—"It should seem that the Lords are very well satisfied with his reasons for the service in Ireland, and the Queen by them well pleased withal."

25th Oct.—"All the Lords are in this matter his friends; for all speak for him."—Syd. Pap. ii. pp. 133–5.

a right to be dissatisfied with the Earl's story. He must have been a much more skilful dissembler and a much warier politician than he was, if he could play his new part without falling into inconsistencies, suggestive of the gravest suspicions to one who had for so many years been so familiar with him in all his moods. Formerly his most contumacious proceedings had been consistent with his professions of love and loyalty, because the greatness they aimed at was to come by her favour and be employed in her service. But now that he was endeavouring to carry his ends in spite of her, and by working upon her fears, his words and actions produced discords to which she could not be deaf. It must have been clear to her that she did not yet know all. Nor did the news which presently arrived from Ireland make the case less suspicious. Sir William Warren had been sent by Essex to confer with Tyrone. They had met at Blackwater on the 29th of September; the day after Essex arrived at Nonsuch. And on the 4th of October his report of the interview was forwarded from the Council at Dublin to the Council in London.

"By way of conference with the said Tyrone, and the report of others, the said Sir William did conceive a disposition in Tyrone to draw up all the force that he could make to the borders as near Dundalk as he could, and all his creats[1] to bring thither with him: which maketh the said Sir William much to doubt of any good or conformity to be looked for at his hands."

So far, if there was nothing to satisfy, neither was there anything to surprise. It was no more than anybody who knew the history of previous treaties with Tyrone must have looked for. But what was the meaning of the next paragraph?

"By further discourse, the said Tyrone told to the said Sir William and declared it with an oath, that within two months he should see the greatest alteration and the strangest that he the said Sir William could imagine, or ever saw in his life; but what his meaning was thereby, neither did he declare the same to the said Sir William, nor could he understand it; more than that Tyrone did say he hoped before it were long that he the said Tyrone would have a good share in England. These speeches of the alteration Tyrone reiterated two or three several times."[2]

Some light was thrown upon the meaning of this by information obtained at a later period; but for the present it remained a mystery, and no doubt suggested the necessity of proceeding warily. But if it was hazardous to set the Earl free, it was hazardous also, by

[1] So MS. Qy. *vriaghts*.

[2] A Declaration of the Journey of Sir William Warren to Tyrone. 3rd Oct., 1599. Lambeth MSS. 617. 334.

keeping him in restraint without apparent cause, to provoke popular discontent; of which symptoms began already to appear both in the press and the pulpit. To quiet these, the Queen resolved after some hesitation and vacillation that on one of the days when it was usual to issue public admonitions in the Star Chamber, an official declaration should be made of the principal faults laid to his charge. But it is not easy for a Queen, who cannot mix freely with the people, to understand the conditions of popular opinion; and she seems to have forgotten that they would want to hear the Earl's story as well as hers, and that to publish the charges without the answers would only increase discontent and excite suspicion of unfair dealing. Her real motive for choosing this course was probably tenderness towards the Earl himself, whom she did not wish to bring before the public as a culprit. But the effect would be not the less unsatisfactory; and when she told Bacon what she meant to do, he warned her what the consequence would be: "told her plainly, that the people would say that my Lord was wounded upon his back, and that justice had her balance taken from her, which ever consisted of an accusation and defence; with many other quick and significant terms to that purpose."[1] Not that he was prepared to recommend the other course of a formal judicial proceeding; for he thought the sympathy of the people would be with the Earl, and the result to the disadvantage of the Government.[2] His advice therefore was that she should make matters up with him privately, and "restore him to his former attendance, with some addition of honour to take away discontent." She had to admit afterwards that his objections to the Star Chamber proceeding had been just; but the freedom of his expostulation offended her at the time, so that she would hear no more from him on the subject for some months; and proceeded in the meantime to carry out her own plan. A declaration was made in the Star Chamber on the 29th of November, by the mouths of all the principal councillors. It consisted of a statement of the leading facts,—what the Earl had been sent out to do, what means had been provided, and what he had done. And the story they told agrees, as far as it goes, with that which I have myself told upon independent evidence; differing only in this—that it contains no allusion to the worst features

[1] Apology.

[2] "I besought her Majesty to be advised again and again how she brought the cause into any public question. Nay, I went further; for I told her that my Lord was an eloquent and well-spoken man; and besides his eloquence of nature or art, he had an eloquence of accident which passed them both, which was the pity and benevolence of his hearers; and therefore that when he should come to his answer for himself, I doubted his words should have so unequal a passage above theirs that should charge him as should not be for her Majesty's honour. . . . I remember I said that my Lord *in foro famæ* was too hard for her; and therefore wished her, as I had done before, to wrap it up privately."—Apology.

of the case; some of which were not yet even suspected, and others were still doubtful. It was in fact a fair and temperate statement of the grounds which the Queen had for being dissatisfied with him; and not being in the nature of a charge to be followed by a sentence, he was not called to answer.

3.

The lawyers having no part in the proceeding, Bacon was not wanted in his place; and popular feeling had in the meantime taken a turn against him, which, though due to a mere misapprehension of the facts, made him prefer to stay away. I have said that the Council did not share the unpopularity of the proceedings against Essex, because it was given out that they were using their influence in his favour; whereby it would naturally have fallen upon the Queen in person. But she was herself too much of a popular favourite to be supposed capable of doing anything unjust or ungracious, unless misled by sinister influence somewhere. Somebody there must be upon whom indignation might discharge itself freely: and suspicion in such cases always falls on those who cannot speak for themselves. Now it happened that Bacon, to whom his old privilege of access had now for a good while been fully restored, was at this time much employed about matters of law and revenue, concerning which he often had occasion to attend the Queen and was often admitted to speech with her. And though he had really been using all his influence to dissuade her from bringing the Earl's case in question publicly, and induce her to receive him again at Court with such conditions as should make him content to remain at home, that fact was not known; and as he could not talk about what passed between the Queen and himself, rumour might circulate what stories she pleased: nor did she spare her powers of invention. It is not necessary to ask how the suspicion arose. Such suspicions come of themselves. There was blame due to somebody. It could not be Essex. It could not be the Queen. It was not the Council. It might be Bacon. He stood next; and against him the popular wrath gathered with a fury proportioned to its ignorance. There were those who undertook to say what opinions he had given to the Queen upon the Earl's case: and indignation ran so high that his friends apprehended some violent attack upon him.

To this occasion the three following letters (which come from Rawley's supplementary collection and have no dates)[1] obviously

[1] The letter to Lord H. Howard has the date 3rd December, 1599, added in Birch's copy: probably on the authority of some MS. copy, of which more than one exist.

refer. That Bacon was absent from the Star Chamber on the 29th of November, and that the Queen charged him with it, we know upon his own authority.[1] I am not aware that anything else is known about the threats or the slanders to which he was exposed; and the letters require no further explanation.

TO THE QUEEN.[2]

It may please your excellent Majesty,

I most humbly entreat your Majesty, not to impute my absence to any weakness of mind or unworthiness. But I assure your Majesty I do find envy beating so strongly upon me, standing as I do (if this be to stand), as it were not strength of mind, but stupidity, if I should not decline the occasions; except I could do your Majesty more service than I can any ways discern that I am able to do. My course towards your Majesty (God is my witness) hath been pure and unleavened: and never poor gentleman (as I am persuaded) had a deeper and truer desire and care of your glory, your safety, your repose of mind, your service: wherein if I have exceeded my outward vocation, I most humbly crave your Majesty's pardon for my presumption. On the other side, if I have come short of my inward vocation, I most humbly crave God's pardon for quenching the Spirit. But in this mind I find such solitude and want of comfort; which I judge to be because I take duty too exactly, and not according to the dregs of this age, whereon the old anthem mought never be more truly sung, *Totus mundus in maligno positus est.* My life hath been threatened, and my name libelled, which I count an honour. But these are the practices of those whose despairs are dangerous, but yet not so dangerous as their hopes; or else the devices of some that would put out all your Majesty's lights, and fall on reckoning how many years you have reigned; which I beseech our blessed Saviour may be doubled, and that I may never live to see any eclipse of your glory, interruption of safety, or indisposition of your person; which I commend to the Divine Majesty, who keep you and fortify you.

[1] Apology.

[2] Rawley's 'Resuscitatio,' Supplement, p. 99.

To my Lord Henry Howard.[1]

My Lord,

There be very few besides yourself to whom I would perform this respect. For I contemn *mendacia famæ*, as it walks among inferiors; though I neglect it not, as it may have entrance into some ears.[2] For your Lordship's love, rooted upon good opinion, I esteem it highly, because I have tasted of the fruits of it; and we both have tasted of the best waters, in my account, to knit minds together. There is shaped a tale in London's forge, that beateth apace at this time, That I should deliver opinion to the Queen in my Lord of Essex cause: first, that it was *præmunire;* and now last, that it was high treason; and this opinion to be in opposition and encounter of the Lord Chief Justice's opinion and the Attorney-General's. My Lord, I thank God my wit serveth me not to deliver any opinion to the Queen, which my stomach serveth me not to maintain; one and the same conscience of duty guiding me and fortifying me. But the untruth of this fable God and my sovereign can witness, and there I leave it; knowing no more remedy against lies, than others do against libels. The root no question of it is, partly some light-headed envy at my accesses to her Majesty; which being begun and continued since my childhood, as long as her Majesty shall think me worthy of them I scorn those that shall think the contrary. And another reason is, the aspersion of this tale and the envy thereof upon some greater man, in regard of my nearness. And therefore (my Lord) I pray you answer for me to any person that you think worthy your own reply and my defence. For my Lord of Essex, I am not servile to him, having regard to my superior[3] duty. I have been much bound unto him. And on the other side, I have spent more time and more thoughts about his well doing, than ever I did about mine own. I pray God you his friends amongst you be in the right. *Nulla remedia tam faciunt dolorem quam quæ sunt salutaria.* For my part, I have deserved better than to have my name objected to envy, or my life to a ruffian's violence. But I have the privy coat of a good conscience. I am sure these courses and bruits hurt my Lord more than all. So having written to your Lordship, I de-

[1] Rawley's 'Resuscitatio,' Supplement, p. 100.

[2] *eare* in original.

[3] *superiour's* in the original.

sire exceedingly to be preferred in your good opinion and love: and so leave you to God's goodness.

To Sir Robert Cecil.[1]

It may please your good Honour,

I am apt enough to contemn *mendacia famæ;* yet it is with this distinction; as fame walks among inferiors, and not as it hath entrance into some ears. And yet nevertheless in that kind also I intend to avoid a suspicious silence, but not to make any base apology. It is blown about the town, that I should give opinion touching my Lord of Essex cause; first, that it was a *præmunire;* and now last, that it reached to high treason; and this opinion should be given in opposition to the opinion of the Lord Chief Justice and of Mr. Attorney-General. Sir, I thank God, whatsoever opinion my head serveth me to deliver to her Majesty, being asked, my heart serveth me to maintain, the same honest duty directing me and assisting me. But the utter untruth of this report God and the Queen can witness; and the improbability of it every man that hath wit more or less can conceive. The root of this I discern to be, not so much a light and humorous envy at my accesses to her Majesty (which of her Majesty's grace being begun in my first years, I would be sorry she should estrange in my last years; for so I account them, reckoning by health not by age), as a deep malice to your honourable self; upon whom, by me, through nearness, they think to make some aspersion. But as I know no remedy against libels and lies; so I hope it shall make no manner of disseverance of your honourable good conceits and affection towards me; which is the thing I confess to fear. For as for any violence to be offered to me, wherewith my friends tell me to no small terror that I am threatened, I thank God I have the privy coat of a good conscience; and have a good while since put off any fearful care of life or the accidents of life. So desiring to be preserved in your good opinion, I remain.

4.

From this time till the 20th of March, Essex remained at York House under the same conditions. But though he was supposed to

[1] Rawley's 'Resuscitatio,' Supplement, p. 98.

see nobody, not even his wife, without the Queen's special leave, he was really in communication all this time with Southampton, Sir Christopher Blount, Sir Charles Davers, and others, upon certain projects which it will be necessary to bring out in more prominence than has been usually given to them. For though the Government knew nothing of them at the time, and when they did come to light covered them up with a discreet silence (in consequence of which they have almost dropped out of the story as it is commonly told, though the evidence has been long accessible to everybody in a well-known book), yet they certainly formed a very important part of the case which we shall presently have to consider.

But I will first dispose of two or three other letters of Bacon's, which stand next in the chronological order of his compositions and would otherwise come in as an interruption.

5.

In a list of new-year's gifts given to the Queen at Richmond in 1599-1600, I find the following item:—

"By Mr. *Frauncis Bacon*, one pettycote of white satten, embrothered all over like feathers and billets, with three brode borders, faire embrothered with snakes and frutage."[1]

In the 'Resuscitatio' I find three undated letters from Bacon to the Queen written to accompany new-year's gifts, and one of them speaks of "a garment" as the gift. It is not improbable therefore that the proper date of this was the 1st of January, 1599-1600, and there being nothing to indicate in the case of the others to which new-year's day they belong, I shall insert all three here.

A Letter to Queen Elizabeth, upon the Sending of a New-Year's Gift.[2]

Most excellent Sovereign Mistress,

The only new-year's gift which I can give your Majesty is that which God hath given to me; which is a mind in all humbleness to wait upon your commandments and business: wherein I would to God that I were hooded, that I saw less, or that I could perform more: for now I am like a hawk, that bates, when I see occasion of service, but cannot fly because I am tied to another's fist. But meanwhile I continue my presumption of

[1] Nicholls's 'Progresses of Queen Elizabeth,' iii. 457.
[2] Resuscitatio, p. 3.

making to your Majesty my poor oblation of a garment, as unworthy the wearing as his service that sends it; but the approach to your excellent person may give worth to both; which is all the happiness I aspire unto.

A LETTER TO QUEEN ELIZABETH, UPON THE SENDING OF A NEW-YEAR'S GIFT.[1]

It may please your Majesty,

According to the ceremony of the time, I would not forget in all humbleness to present your Majesty with a small new-year's gift: nothing to my mind. And therefore to supply it, I can but pray to God to give your Majesty his new-year's gift; that is, a new year that shall be as no year to your body, and as a year with two harvests to your coffers; and every other way prosperous and gladsome. And so I remain.

TO THE QUEEN.[2]

It may please your excellent Majesty,

I presume, according to the ceremony and good manner of the time and my accustomed duty, in all humbleness to present your Majesty with a simple gift; almost as far from answering my mind as sorting with your greatness; and therewith wish that we may continue to reckon on, and ever, your Majesty's happy years of reign; and they that reckon upon any other hopes, I would they mought reckon short and to their cost. And so craving pardon most humbly, I commend your Majesty to the preservation of the Divine goodness.

6.

It is long since we heard anything of Bacon's mother. And I am sorry to say that the brief allusion in the next letter (which serves to remind us that she is still at Gorhambury with all her maternal griefs, affections, and solicitudes) is the last we shall hear of her. The collection of papers in which her correspondence with her sons is preserved becomes very scanty after the period at which we are now arrived. It has been conjectured that when the Earl of Essex became an object of suspicion to the Government, Anthony Bacon either destroyed or gave up his papers: which is not improbable. But what-

[1] Resuscitatio, p. 3. [2] Ibid., Supplement, p. 99.

ever the reason, there are not many remaining which belong to the last three years of his life.

The letter which contains this allusion does not come from that collection, nor from Bacon's own. It is addressed to the Queen, and being a suit for a gift of certain lands belonging to the Crown, was I presume accompanied with a memorial of the particulars. The Queen would naturally refer it to the officer who had charge of that department of her business. What happened to it during the next two hundred and thirty years, I do not know. But in 1729 the original was in the possession of John Anstis, Garter Principal King-at-Arms; who gave a copy of it to Blackbourn, the editor of the first *Opera Omnia*, 1730. Blackbourn printed it, not in its place among the letters (for which it probably reached him too late), but in the "Collections relating to the life of the author," prefixed to the first volume.[1] Whence it has happened that all succeeding editors have overlooked it; and though it was afterwards reprinted by Birch in his 'Memoirs of Queen Elizabeth,' it is not to be found in any other edition of Bacon's works that I have seen. The original letter has since found its way into the British Museum, and from the original this copy is taken. It is handsomely and carefully written in Bacon's Roman hand. Of the issue of the suit I find no account.

To the Queen.[2]

Most Gracious Sovereign,

I think I should rest senseless of that wherein others have sense restless, and that is of my particular estate and fortune, were it not that the overthrow of my fortune includeth in it a cutting off of that thrid which is so fastly wreathed with the thrid of my life that I know they will end together, I mean the thrid of my hopes to do your Majesty further and better service.

Which consideration only or chiefly constraineth me to make now this motion to your Majesty for the help of my estate; a motion wherein nevertheless I will keep this stay, that I will not insue the common precedent of being suitor to your Majesty for a value, whereby the best of your possessions useth to be pucelled and deflowered, but for three parcels only wherein I am informed; arising to the total of eighty and odd pounds, and in all respects ordinary land, which if your Majesty shall be pleased of your benignity and love towards me to confer upon me in the richest manner, which is fee-simple, I can say no more but that

[1] Page 57. [2] Add. MSS. 12,514, fo. 97. Original: own hand.

your Majesty shall in one make me a free man and a bond-man, free to all the world and only bond to yourself. And I will plainly express unto your sacred Majesty the three thorns the compunction whereof instanted me to make this motion at this time, holding otherwise all the services which I have done or can do more than rewarded in your Majesty's only gracious aspect.

First my love to my mother, whose health being worn, I do infinitely desire she mought carry this comfort to the grave, not to leave my estate troubled and engaged.

Secondly, these perpetuities being now overthrown, I have just fear my brother will endeavour to put away Gorhambury, which if your Majesty enable me by this gift I know I shall be able to get into mine own hands, where I do figure to myself that one day I may have the honour and comfort to bid your Majesty welcome, and to trim and dress the grounds for your Majesty's solace.

Thirdly, your Majesty may by this redemption (for so I may truly call it) free me from the contempt of the contemptible, that measure a man by his estate, which I daily find a weakening of me both in courage and means to do your Majesty service.

Thus, Madam, your Majesty seeth, though I am an ill beggar in person, yet I would make no proctor; for I never received so much contentment of any man as I could find it in my mind to make him an author or mediator of my fortune. Only I have used an ancient friend, and a man of ordinary access to your Majesty, for the delivery of these lines; and so most humbly craving pardon, I leave all to your Majesty's goodness, and yourself to the dear preservation of the divine Majesty: from my Tub not yet hallowed by your sacred Majesty, this xiith of March, 1599.

Your sacred Majesty's most humble and
entirely devoted subject and servant,
Fr. Bacon.

7.

That the necessity of his service in Ireland would compel the Queen to receive Essex into favour again, was a hope which, though it continued to prevail among the people till the middle of November, if not later,[1] he could hardly entertain himself after the disclosure of

[1] Syd. Pap. 15 Nov.

Tyrone's propositions. He began at once therefore to cast about for other means of rescue; and if those to which he first inclined seem so inconsistent with his professions of extinct ambition and desire of private life as to suggest a doubt whether they were sincere even for the moment, we must remember that his personal safety was now every hour in jeopardy; and that to place himself out of danger of the law may really have been his object; although the means by which it was to be compassed involved much more,—involved in fact the assumption of a position and a power above the legitimate pretensions of a subject. The intrigues in which for this purpose he was engaged were kept secret at the time, for reasons of state which are sufficiently intelligible. For reasons equally intelligible, they were but dimly and partially indicated during the next reign. Nor was it till long after, when the whole question had passed from the department of politics to that of history, that they were fully revealed. The evidence being nevertheless good, history must not refuse to admit it, and to correct her conclusions accordingly.

In the Advocates' Library at Edinburgh there is still to be seen a manuscript in an old handwriting,[1] purporting to be a declaration made by Sir Charles Davers on the 22nd of February, 1600-1. It has every appearance of being a genuine, though not a very accurate, transcript of a deposition taken down from the speaker's mouth by some one who could not write fast enough, nor is there anything either in the style, the matter, or the circumstances, which would lead me to doubt the veracity of the deponent.[2] It was first printed by Birch in his 'Memoirs of Elizabeth,' from a copy found among the collections of Dr. Forbes; and I am not aware that its genuineness has ever been questioned.[3] From this we learn that when he was committed to the custody of the Lord Keeper, Essex entrusted the care of his fortune not to those of his friends who had best credit with the Queen for loyalty and good service, but to those who had been admitted to his own most dangerous secrets, and engaged themselves furthest with him in his most questionable proceedings. How deeply the Earl of Southampton had been previously admitted into his confidence we have seen. With Lord Montjoy his latest relation, so far as it was known to the newsmen of the day, had been

[1] A. 1. 34. No. 30.

[2] On the 21st a declaration had been made by Henry Cuffe, in which he referred the Council to Sir Charles Davers for fuller information (Add. MSS. B. M. 4160. 63). Cuffe's declaration was made in answer to questions put to him at the suggestion of Essex himself: from whom I believe the government had their first intelligence of this Scotch intrigue.

[3] Since this was written, a fair copy of this declaration in Sir C. Davers's own hand, apparently revised and enlarged, has been found among the MSS. at Hatfield, and printed by Mr. John Bruce for the Camden Society. See Additional Evidences, No. IX., in this volume.

that of successful rivalry for the Irish command, in the autumn of 1598. But if that difference caused any interruption of intimacy for the time, the breach must have been soon and effectually healed. For in the summer of 1599 Montjoy had undertaken an office on his behalf which he would never have ventured on without some concert and private understanding of the most confidential kind. In the summer of 1599 he had dispatched a messenger secretly to Scotland, with some communication on the forbidden subject of the succession. The terms are not known; but the general purport was to satisfy the King that Essex would support his claim to succeed to the crown upon Elizabeth's death, and to suggest some course of proceeding which might lead to an acknowledgment of that claim during her life.[1] Now why should Montjoy meddle in such a matter? "The cause" (says Sir Charles) "that moved my Lord Montjoy to enter into this course with Scotland was, as he protested, his duty to her Majesty and his country; for he could not think his country safe unless by declaration of a successor it were strengthened against the assaults of our most potent enemies, which pretended a title thereunto. Neither could he think her Majesty so safe by any means, as by making her kingdom by that means safe against their attempts." So far well. It is easy to believe that he thought such a declaration desirable, with a view to the public interest only. Most men would have welcomed it as a measure important for the safety of the country; and had he made a speech or published a pamphlet urging the Queen to adopt it, I should have given him credit for a bold and patriotic act done at the risk of a censure in the Star Chamber. But how was such a thing to be brought about through a secret negotiation between the King of Scots and a private English subject holding no office or authority?—and how came Montjoy to be the negotiator? "He entered into it the rather at that time," Sir Charles adds, "to serve my Lord of Essex, who by loss of her Majesty was like to run a dangerous fortune, unless he took a course to strengthen himself by that means." How again would the procuring of such a declaration by such means have *strengthened* Essex? It was certainly not a service which would have inclined the Queen to like him better. On the contrary, it would have made the recovery of her favour *by fair means* for ever hopeless. The answer to these questions must surely be, that the negotiation was undertaken not only in the interest of Essex, but in concert with him; and that the object was to arrange some joint action between the King of Scots and the English

[1] "To assure the King that my Lord of Essex was freed from the ambitious conceits that some of his enemies had sought to possess the world withal; to give him assurance that next to her Majesty he would endure no succession but his; and *to intimate some course for his declaration in her Majesty's time.*"

army in Ireland, for the purpose of compelling the Queen to assent to a formal declaration of his right to succeed her in the throne of England. We know that Essex had begun to contemplate the necessity of resorting, in what he called self-defence, to some demonstration of force. To any such demonstration an alliance with the King of Scots in assertion of his legitimate title would have given the material support of a Scotch army and the moral support of a fairer name than rebellion; and would have strengthened him by making him more formidable. But I do not see what other strength either he or his friends could have hoped from such a course, except strength of arms in an encounter with the Queen's forces.

If this interpretation be objected to as incredible, because it implies an intention to use the army with which he had been entrusted *against* those from whom he had received the trust, let that objection wait a little till we see the next phase of the intrigue.

8.

The issue of the negotiation at that time we do not know. I suppose it was interrupted by the Earl's sudden return from Ireland and subsequent detention in England, which not only made it impossible for him to play his part in the proposed demonstration, but involved him in a danger quite different from any he had hitherto had to fear, and called in his friends to help him by services more within the legitimate limits of friendship. He was now in the Queen's power; and though the restraint put upon him was as gentle as any restraint could be which was strict enough to keep him within her power, yet no one knew, and his most confidential friends had most reason to fear, what might happen next. Reports that he was to be sent to the Tower were the news of every week; and those who were deepest in his secrets best knew how dangerous a place the Tower might prove for him, if all the truth should by any accident come to light. How best to provide against this danger was now the question. And it was to my Lords Southampton and Montjoy that in this emergency he committed the care of his fortunes.

Sir Charles Davers came up to London about the end of October and found them in consultation. It seems that Sir Christopher Blunt's former recommendation to "possess the Court with his friends," as well as Essex's own project of making his way into Wales (where he might look for popular support), had been reconsidered and upon consideration rejected; and that a private escape into France was agreed upon as the best thing to attempt.[1] This

[1] "Divers courses had been thought on for his delivery; either by procuring him

however he himself positively declined—saying that "he would rather run any danger than lead the life of a fugitive:" by which he must have meant that the *escape* he looked for was to some place where he might make resistance.

9.

Thus matters stood till about the middle of November: at which time it was decided at Court that Montjoy should take command of the army in Ireland. This opened a new chance. Though the parts were changed the game might still be played. A month before, when the employment was first offered to Montjoy, he had tried to excuse himself; out of friendship (it was supposed) for Essex, whom he then believed it would be thought necessary to send back. This however being out of the question, and the case of Ireland growing worse and worse, he undertook the service; and at the end of November the news was that he had orders to be ready within twenty days.[1] Immediately upon this followed the declaration in the Star Chamber concerning the offences of the Earl, which I have already mentioned, and which put an end to all hopes of a present release for him. And then came a fresh proposition on his behalf, which will show that to reject my interpretation of Montjoy's former proceeding on the ground that it implied treachery would have been premature.

The statement in this case is explicit, and admits of no interpretation but one. I give the words precisely as I find them.

"Now when that the government of Ireland was put into my Lord Montjoy's hands, his former motives growing stronger in him, the danger of my Lord of Essex more apparent, being earnestly pressed by my Lord of Essex to think of some course to relieve him, my Lord first swearing, and exacting the like oaths as I remember from my Lord of Southampton, to defend her Majesty's person and government over us against all persons whatsoever, it was resolved to send Harry Leigh again into Scotland, with offer that if the King would enter into the course, my Lord Montjoy would leave the kingdom of Ireland defensively guarded, and with four or five thousand men assist him: which with the party that my Lord of Essex would make head withal, were thought sufficient to bring that to pass that was intended."

The date of this resolution is not given. But as Montjoy was gone before Harry Leigh returned from his mission, I see no escape from the conclusion that he undertook the command of the Queen's

means to escape privately into France, or by the assistance of his friends into Wales, or, by possessing the Court with his friends, to bring himself again into her Majesty's presence."—Declaration of Sir Charles Davers.

[1] Syd. Pap. ii. p. 145.

army in Ireland with an intention to use a portion of it in encountering the Queen's army in England. Difficulties occurred which gave him time to think, and changes intervened which supplied him with a pretext for refusing to act upon it. But this is what he must have been prepared for when he went; and that stain must rest upon his memory.

The answer which Leigh brought back was "dilatory." A principal point in the plans projected by the Council for recovering Ireland was the establishment of a strong garrison at Lough Foyle, a position at the northern angle of Tyrone's country, accessible by sea; and this garrison was to furnish the men and shipping with which Montjoy was to assist the intended movement. But it was not yet settled there; and until it was settled, the King of Scots was "not ready to enter into that attempt. . . . And so that business ended."[1]

It ended. That is, nothing further was done in it. But in the meantime it left Essex apparently in a more perilous condition than ever. For Leigh, immediately upon his return, was apprehended and imprisoned. And though the secret had been so well kept that the Government had not any notion of what was really going on, it is easy to understand how uncomfortable Essex must have felt upon such an accident; especially when a proceeding against him in the Star Chamber had been actually resolved on not long before, and the day appointed.[2] And it was, we may presume, under the pressure of this anxiety that he took the first safe opportunity of opening fresh negotiations with Montjoy, and urging him to carry out the original design. Southampton was going to Ireland, and he was to carry letters to that purpose.[3] But his departure had been put off from week to week, and before he started (26th April) a change had taken place in Essex's position. On the 20th of March he had been allowed to return to his own house; and though he was not set at liberty,—for he remained in charge of a keeper, and under strict watch,—it was considered a sign of relenting, and a proof that no severe proceeding was meditated; and Montjoy, having in the meantime engaged earnestly in the very serious work which he had undertaken, and the trust reposed in him having had its proper effect in making him feel the duty of fidelity, would now no longer listen to the proposal. "He thought it more lawful to enter into such a course with one that had interest

[1] Sir C. Davers's declaration.

[2] It was to have come off on the 13th of February, but was countermanded the day before at the Earl's own request. S. P. O.

[3] "While Harry Leigh was in prison" (Sir C. Davers adds), "my Lord of Southampton went into Ireland, and by him were letters sent from my Lord of Essex to my Lord Montjoy to move him to bring over those former intended forces into Wales, and from thence to proceed on to the accomplishment of the former design."

in the succession than otherwise; and though he had been led before, out of the opinion he had to do his country good by the establishment of the succession, and to deliver my Lord of Essex out of the danger he was in; yet now his life appeared to be safe, to restore his fortune only and to save himself from the danger which hung over him by discovery, and to satisfy my Lord of Essex's private ambition, he would not enter into any enterprise of that nature."[1] And so that project was happily given up; nor did any hint of the secret get abroad until Essex himself, in the hour of his remorse, disburthened his conscience of it.

10.

Of all these matters neither the people, nor the Queen, nor Bacon had any suspicion. The people, regarding Essex as the greatest captain in the land, were still wondering and murmuring at the treatment of their favourite. The Queen, knowing that he had been perverse, disobedient, and unfortunate, but refusing to believe him false, was considering on what terms she might receive him into favour again, without making one of those concessions to his humour which she had tried so often and with such bad effect. Bacon, still believing that restoration to favour would withdraw him from temptations fraught with danger to everybody, was endeavouring to persuade the Queen to let the case rest where it was, and to send him some gracious message which might open the way to reconciliation; and at any rate, if she found it necessary to bring the case to a formal hearing, not to proceed by information in the Star Chamber (a course which she had been meditating, off and on, all the spring), but to confine it to the council-table. This advice she in the end partly adopted. For though she could not consent to rest under a popular imputation of unjust severity towards one for whom she well knew that her partiality had been too strong to leave her judgment free, and was therefore resolved to do something which should meet and put it down; yet, that point gained, she was willing enough to relent. What she wanted was to justify in the eyes of the people what she had done, without obliging herself to do more. For this purpose it was necessary to have a proceeding both in substance and in form judicial, an open accusation and defence; but so distinguished in its circumstances from ordinary proceedings of the kind, that the ordinary issue might without inconvenience be avoided. A public prosecution in the Star Chamber for such offences would, if successful, have entailed a heavy fine and an imprisonment in the Tower. By trans-

[1] Sir C. Davers's declaration.

ferring it to a private room into which the public should be admitted by favour and not of right, by varying the constitution of the tribunal and dispensing with the formalities of a record, while the usual forms were in other respects observed, it would be made public enough to attain the end (which was the satisfaction of the public), and at the same time so exceptional as to admit of an unusual issue. Instead of the Star Chamber, the cause was to be heard in the Lord Keeper's house, before a special commission, in which certain earls, barons, and judges were associated with the ordinary members of that court;[1] the public not to be admitted promiscuously; but an audience, selected so as to contain representatives of all professions and degrees and qualities, to be invited to witness the proceedings:—a court resembling in composition one of those Great Councils which used formerly to be summoned to deliberate on great occasions; though in other respect the form of proceeding, as well as the function of the Commissioners, was much the same as in an ordinary Star Chamber case. The members of the Learned Counsel were to give the information and produce the evidence; the Earl was to answer for himself; the Commissioners to give their opinions; and the Lord Keeper to pronounce the sentence of the Court. And if it was (as it has been called) an unconstitutional tribunal,—a point which I cannot pretend to decide, for it is difficult to say what were then the limits of the power which the Council was understood to possess,—the variation from constitutional practice was certainly meant to be in the prisoner's favour, and was so understood and accepted at the time.

The Crown lawyers, who received their directions from the Council, were specially warned not to press the charge to any point implying disloyalty: and the main business fell of course upon Coke. To Bacon was assigned a part of the case comparatively unimportant; merely the countenancing by Essex of a book which had given offence to the Queen;—a part which, though he did not like it, and though he seems to have thought the introduction of it into the case injudicious, he had no just ground for refusing; being assigned to him as it was by those who were officially responsible for the business, and the business being designed (whether judiciously or not) to clear the government from imputations which were unjust, arising out of a misapprehension of the facts, by a course studiously contrived to make the proof of the offence compatible with indulgence to the offender.

[1] The Commission consisted of the Archbishop of Canterbury, the Lord Keeper, the Lord Treasurer, the Lord Admiral, Earls of Worcester, Shrewsbury, Cumberland, Huntingdon, and Derby, Lord Zouch, Sir W. Knollys, Sir R. Cecil, Sir J. Fortescue, Sir J. Popham, Sir Edmund Anderson, Sir W. Periam, and Justices Gawdy and Walmesley.

This was so well understood to be the object of the proceeding, that Essex, who knew well enough what he was to be charged with (for the offences were the same which he had been called on to answer before the Council, and which had been openly declared in the Star Chamber), came prepared with a speech of acknowledgment and submission, to be delivered with tears and tear-moving accents. But though prepared for the substance, he was not prepared for the style. From the Councillors, whether friends or enemies, he had always received good language. In the mouth of Coke the same charges assumed a form so irritating, that he was provoked to alter his tone and attempt a justification of all his acts point by point. This marred the effect, and had almost defeated the purpose, of the hearing: for an exceptional indulgence would have been misplaced if the offence were not admitted. This however being represented to him, he explained that it was only the charge of *disloyalty* to which he could not consent to plead guilty; and being again assured that nothing of that nature was imputed to him, he was content to make a general submission with regard to the rest and throw himself upon the Queen's mercy. And the Commissioners being all disposed to press as lightly upon him as they could, and evidently expecting that a reconciliation would follow, concurred in the sentence pronounced by the Lord Keeper,—that he should be suspended from the execution of his offices and continue a prisoner in his own house, "until it should please her Majesty to release both this and all the rest:"—a sentence amounting in effect merely to a quasi-judicial sanction of what had been already done.

11.

The business was not over till late in the evening of the 5th of June. On the 6th Bacon saw the Queen, and endeavoured to convince her that all was now well: the world reasonably well satisfied, the Earl submissive, and the time come to make an end and receive him into favour again. She listened with apparent satisfaction: but it was fit that she should know what had passed and take time to consider, and she desired him to draw up an account of it. Within a few days he brought her a full narrative of the whole proceeding, read it to her on two several afternoons, and observed with pleasure that she was much touched with the part in which he had laboured to set forth to advantage the Earl's own answer,—which probably lost nothing by the reporting. From the form and style of the opening I infer that her intention had been to have it published. But this, at Bacon's own suggestion (who appears all along to have been

chiefly anxious to avoid everything which could keep the quarrel in agitation or in remembrance), she agreed to give up; and it was with her consent suppressed. What became of the manuscript we are not informed, but among the papers submitted to Stephens by Lord Oxford was a fragment, manifestly of Bacon's composition, which answers the description, so far as it goes. It may have been a transcript made afterwards—when it became important to preserve all authentic records of Bacon's dealings in behalf of Essex—from such portion of the rough copy as remained. But whatever be the true account of the preservation of this and the loss of the rest, I have no doubt that it is in fact the beginning of the paper which he read to the Queen; the best and fullest account which we have of the occasion and opening of the proceedings in question: at any rate a genuine composition of Bacon's, written in the second week of June, 1600, and coming in properly here.

The original, from which I print it, is still to be seen in the British Museum: Harl. MSS. 6854, fo. 177. It is written certainly by a contemporary, and I think by one of Bacon's own servants. But though incorrect in several places, it has no traces of Bacon's own hand upon it.

THE PROCEEDINGS OF THE EARL OF ESSEX.[1]

The Points of Form worthy to be observed.

The fifth of June in Trinity Term upon Thursday, being no Star Chamber day, at the ordinary hour when the Courts sit at Westminster, were assembled together at the Lord Keeper's house in the great chamber her Majesty's Privy Council, inlarged and assisted for that time and cause by the special call and associating of certain selected persons, viz. four Earls, two Barons, and four Judges of the law, making in the whole a council or court of eighteen persons, who were attended by four of her Majesty's Learned Counsel for charging the Earl, and two Clerks of the Council, the one to read, the other as a register; and an auditory of persons to the number as I could guess of two hundred, almost all men of quality, but of every kind or profession; nobility, court, law, country, city. The upper end of the table left void for the Earl's appearance, who, after the Commissioners had sat awhile,[2] and the auditory was quiet from the first throng to get in, and the doors shut, presented himself, and kneeled down at the board's end, and so continued till he was licensed to stand up.

[1] Harl. MSS. 6854. 177.

[2] *sitt* in MS.

The Names of the Commissioners.

Lord Archbishop,

Lord Keeper, etc.

A Declaration of her Majesty's proceeding.

It was opened, that her Majesty being imperial, and immediate under God, was not holden to render account of her actions to any; howbeit because she had chosen ever to govern as well with satisfaction as with sovereignty, and the rather to command down the winds of malicious and seditious rumours wherewith men's conceits may have been tossed to and fro, she was pleased to call the world to an understanding of her princely course held towards the Earl of Essex, as well in herebefore protracting as in now proceeding.

The Earl repairing from his government into this realm in August[1] last, contrary to her Majesty's express and most judicial commandment, though the contempt were in that point visible, and her Majesty's mind prepared to a just and high displeasure, in regard of that realm of Ireland set at hazard by his former disobedience to her royal directions, yet kept that stay as she commanded my Lord only to his chamber in Court, until his allegations mought by her Privy Council be questioned and heard; which account taken, and my Lord's answers appearing to be of no defence; (that shadow of defence which was offered consisting[2] of two parts, the one his own conceit of some likelihood of good effects to ensue of the course held, the other a vehement and overruling persuasion of the Council there (though he were indeed as absolutely freed from opinion of the Council of Ireland as he was absolutely tied to her Majesty's trust and instructions); —nevertheless her Majesty not unwilling to admit any extenuation of his offence, and considering the one point required advertisement out of Ireland, and the other some[3] furder expectation of the event and sequel of the affairs there (and so both points asked time and protraction),—her Majesty proceeded still with reservation, not to any restraint of my Lord according to the nature and degree of his offence, but to a commitment of him, *sub libera custodia,* in the Lord Keeper's house.

After, when both parts of this defence[4] plainly failed my Lord, yea and proved utterly adverse to him (for the Council of Ireland

[1] So in MS. It should be September. [2] *consisted:* MS.
[3] *from* in MS. [4] *this difference* in MS.

in plain terms disavowed all those his proceedings, and the event made a miserable interpretation of them), then her Majesty began to behold the offence in nature and likeness as it was divested from any palliation or cover, and in the true proportion and magnitude thereof importing the peril of a kingdom: which consideration wrought in her Majesty a strange effect (if anything which is heroical in virtue can be strange in her nature); for when offence was grown unmeasurably offensive, then did grace superabound; and in the heat of all the ill news out of Ireland, and other advertisements thence to my Lord's disadvantage, her Majesty entered into a resolution, out of herself and her inscrutable goodness, not to overthrow my Lord's fortune irreparably by public and proportionable justice; notwithstanding, inasmuch as about that time there did fly about in London streets and theatres divers seditious libels, and Paul's and ordinaries were full of bold and factious discourses, whereby not only many of her Majesty's faithful and zealous councillors and servants were taxed, but withal the hard estate of Ireland was imputed to anything rather than unto the true cause (the Earl's defaults), though this mought have made any prince on earth to lay aside straightways the former resolution taken, yet her Majesty in her moderation persisted in her course of clemency, and bethought herself of a mean to right her own honour, and yet spare the Earl's ruin; and therefore taking a just and most necessary occasion upon these libels of an admonition to be given seasonably and as is oft accustomed, the last Star Chamber day of Michaelmas Term was pleased that declaration should be made by way of testimony of all her honourable Privy Council of her Majesty's infinite care, royal provisions, and prudent directions for the prosecutions in Ireland; wherein the Earl's errors (by which means so great care and charge was frustrated) were incidently touched.

But as in bodies very corrupt the medicine rather stirreth and exasperateth the humour than purgeth it, so some turbulent spirits laid hold of this proceeding in so singular partiality towards my Lord as if it had been to his disadvantage, and gave out that this was to condemn a man unheard, and to wound him on his back, and to leave Justice her sword and take away her balance, which consisted of an accusation and a defence; and such other seditious phrases; whereupon her Majesty seeing herself interessed in honour, which she hath ever sought to preserve

as her eye clear and without mote, was enforced to resolve of a judicial hearing of the cause, which was accordingly appointed in the end of Hilary Term. At the which time warning being given to my Lord to prepare himself, he falling as it seemed in a deep consideration of his estate, made unto her Majesty by letter an humble and effectual submission, beseeching her that that bitter cup of justice might pass from him (for those were his words); which wrought such an impression in her Majesty's mind, that it not only revived in her her former resolution to forbear any public hearing, but it fetched this virtue out [of][1] mercy by the only touch, as few days after my Lord was removed to further liberty in his own house, her Majesty hoping that these bruits and malicious imputations would of themselves wax old and vanish: but finding it otherwise in proof, upon taste taken by some intermission of time, and especially beholding the humour of the time in a letter presumed to be written to her Majesty herself by a lady, to whom though nearest in blood to my Lord it appertained little to intermeddle in matters of this nature, otherwise than in course of humility to have solicited her grace and mercy; in which letter, in a certain violent and mineral spirit of bitterness, remonstrance and representation is made to her Majesty, as if my Lord suffered under passion and faction, and not under justice mixed with mercy; which letter, though written to her sacred Majesty, and therefore unfit to pass in vulgar hands, yet was first divulged by copies everywhere (that being as it seemeth the newest and finest form of libelling) and since committed to the press; her Majesty in her wisdom seeing manifestly these rumours thus nourished had got too great a head to be repressed without some hearing of the cause and calling my Lord to answer, and yet on the other side being still informed touching my Lord himself of his continuance of penitence and submission, did in conclusion resolve to use justice, but with the edge and point taken off and rebated; for whereas nothing leaveth that taint upon honour (which in a person of my Lord's condition is hardliest repaired) in question of justice as to be called to the ordinary and open place of offenders and criminals, her Majesty had ordered that the hearing should be *intra domesticos parietes*, and not *luce forensi*. And whereas again in the Star Chamber there be certain formalities not fit in regard of example to be

[1] Blank left in MS. for this word. The construction is, 'fetched out this virtue of mercy,' etc.

dispensed with, which would strike deeper both into my Lord's fortune and reputation; as the fine which is incident to a sentence there given, and the imprisonment of the Tower, which in case of contempts that touch the point of estate doth likewise follow; her Majesty turning this course, had directed that the matters should receive before a great honourable and selected council, a full and deliberate, and yet in respect a private, mild, and gracious hearing.

All this was not spoken in one undivided speech, but partly by the first that spake of the Learned Counsel, and partly by some of the Commissioners; for in this and the rest I keep order of matter, and not of circumstance.

The matters laid to my Lord's charge.

The matters wherewith my Lord was charged were of two several natures; of an higher, and of an inferior degree of offence. The charge.

The former kind purported great and high contempts and points of misgovernance in his office of her Majesty's Lieutenant and Governor of her realm of Ireland, and in this trust and authority thereby to him committed.

The latter contained divers notorious errors and neglects of duty, as well in his government as otherwise.

The great contempts and points of misgovernment and malversation in his office, were articulate into three heads.

I. *The first was the journey*[1] *into Munster, whereby the prosecution in due time upon Tyrone in Ulster was overthrown: wherein he proceeded contrary to his directions, and the whole design of his employment: whereof ensued the consumption of her Majesty's army, treasure, and provisions, and the evident peril of that kingdom.* The three principal articles.

II. *The second was the dishonourable and dangerous treaty held and cessation concluded with the same arch-rebel Tyrone.*

III. *The third was his contemptuous leaving his government, contrary to her Majesty's absolute mandate under her hand and signet, and in a time of so imminent and instant danger.*

For the first, it had two parts; that her Majesty's resolution

[1] *arme* in MS.

and direction was precise and absolute for the northern prosecution, and that the same direction was by my Lord in regard of the journey to Munster wilfully and contemptuously broken.

That her Majesty's direction was precise and absolute for the northern prosecution.

It was therefore delivered, that her Majesty, touched with a true and princely sense of the torn and broken estate of that kingdom of Ireland, entered into a most Christian and magnanimous resolution to leave no faculty of her regal power or policy unemployed for the reduction of that people, and for the suppressing and utter quenching of that flame of rebellion wherewith that country was and is wasted: whereupon her Majesty was pleased to take knowledge of the general conceit how the former making and managing of the actions there had been taxed upon two exceptions; the one, that the proportions of forces which had been there maintained and continued by supplies were not sufficient to bring the prosecutions to a period: the other, that the prosecutions had been also intermixed and interrupted with too many temporizing treaties, whereby the rebel did not only gather strength, but also find his strength more and more, so as ever such smothers broke forth again into greater flames. Which kind of discourses and objections, as they were entertained in a popular kind of observation, so were they ever chiefly patronized and apprehended by the Earl, both upon former times and occasions, and now last when this matter was in deliberation. So as her Majesty, to acquit her honour and regal function, and to give this satisfaction to herself and others that she had left no way untried, resolved to undertake the action with a royal army and puissant forces, under the leading of some principal nobleman; in such sort that as far as human discourse mought discern, it mought be hoped that by expedition of a summer things mought be brought to that state as both realms may feel some ease and respiration, this from charge and levies, and that from troubles and perils.

Upon this ground her Majesty made choice of my Lord of Essex for that service, a principal peer and officer of her realm, a person honoured with the trust of a Privy Councillor, graced with the note of her Majesty's special favour, infallibly betokening and redoubling his worth and value, enabled with the experience and reputation of former services and honourable charges in the wars; a man every way eminent, select, and qualified for a General of a great enterprise, intended for the recovery and

reduction of that kingdom, and not only or merely as a Lieutenant or Governor of Ireland.

My Lord, after that he had taken the charge upon him, fell straightways to make propositions answerable to her Majesty's ends, and answerable to his own former discourses and opinions; and chiefly did set down one full and distinct[1] resolution, that the design and action which of all others was most final and summary towards an end of those troubles and which was worthy her Majesty's enterprise with great and puissant forces, was a prosecution to be made upon the arch-traitor Tyrone in his own strengths within the province of Ulster, whereby both the inferior rebels which rely upon him and the foreigner upon whom he relieth mought be discouraged, and so to cut asunder both dependences: and for the proceeding with greater strength and policy in that action, that the main invasion [and][2] impression of her Majesty's army should be accompanied and corresponded unto by the plantation of strong garrisons in the north, as well upon the river of Loghfoile as a postern of that province, as upon the hither frontiers, both for the distracting and bridling of the rebels' forces during the action, and again for[3] the keeping possession of the victory, if God should send it.

This proposition and project, moving from my Lord, was debated in many consultations: the principal men of judgment and service in the wars, as a council of war to assist a council of state, called at times unto it; and this opinion of my Lord was by himself fortified and maintained against all contradiction and opposite argument; and in the end, *ex unanimi consensu* it was concluded and resolved that the axe should be put to the root of the tree: which resolution was ratified and confirmed by the binding and royal judgment of her sacred Majesty, who vouchsafed her kingly presence at most of those consultations.

According to a proposition and enterprise of this nature, were the proportions of forces and provisions thereunto allotted. The first proportion set down by my Lord was the number of 12,000 foot and 1200 horse; which being agreed unto, upon some other accident out of Ireland the Earl propounded to have it made 14,000 foot, and 1300 horse, which was likewise accorded; within a little while after the Earl did newly insist to have an aug-

[1] *des* in MS., a blank being left for the rest of the word.
[2] *and* omitted in MS.
[3] *of* in MS.

mentation of 2000 more, using great persuasions and confident significations of good effect, if those numbers might be yielded to him; as which he also obtained before his departure; and besides the supplies of 2000 arriving in July he had authority to raise 2000 Irish more, which he procured by his letters out of Ireland, with pretence to further the northern service. So as the army was raised in the conclusion and list[1] to 16,000 foot, and 1300 horse, supplied with 2000 more at three months' end, and increased with 2000 Irish upon this new demand; whereby her Majesty at that time paid 18,000 foot and 1300 horse in the realm of Ireland. Of these forces, divers companies drawn out of the experienced bands of the Low Countries; special care taken that the new levies[2] in the country should be of the ablest and most disposed bodies; the army also animated and encouraged with the service of divers brave and valiant noblemen and gentlemen voluntaries; in sum, the most flourishing and complete troops that have been known to have been sent out of our nation in any late memory. A great mass of treasure provided and issued, amounting to such a total, as the charge of that army all manner of ways, from the time of the first provisions and setting forth to the time of my Lord's returning into England, was verified to have drawn out of the coffers, besides the charge of the country, the quantity of £300,000; and so ordered as he carried with him three months' pay beforehand, and likewise victual, munition, and all habiliments of war whatsoever, with attendance of shipping allowed and furnished in a sortable proportion, and to the full of all my Lord's own demands. For my Lord being himself a principal counsellor for the preparations as he was to be an absolute commander in the execution, his spirit was in every conference and conclusion in such sort as when there happened any points of difference upon demands, my Lord using the forcible advantages of the toleration and liberty which her Majesty's special favour did give unto him, and the great devotion and forwardness of his fellow-Councillors to the general cause, and the necessity of his then present service, he did ever prevail and carry it; insomuch as it was objected and laid to my Lord's charge as one of his errors and presumptions, that he did oftentimes upon their propositions and demands enter into contestations with her Majesty, more a great deal than was

[1] So MS. [2] *lives* in MS.

fit. All which proportions before-mentioned being to the utmost of my Lord's own askings, and of that height and greatness, mought really and demonstratively express and intimate unto him, besides his particular knowledge which he had as a Councillor of Estate of the means both of her Majesty and this kingdom, that he was not to expect[1] to have the commandment of 16,000 foot and 1300 horse as an appurtenance to his lieutenancy of Ireland, which was impossible to be maintained; but contrariwise, that in truth of intention he was designed as General for one great action and expedition, unto which the rest of his authority was but accessary and accommodate.

It was delivered further, that in the authority of his commission, which was more ample in many points than any former Lieutenant had been vested with, there were many direct and evident marks of his designation to the northern action, as principally a clause whereby *merum arbitrium belli et pacis* was reposed in his sole trust and discretion, whereas all the Lieutenants were ever tied unto the peremptory assistance and adjunction of a certain number of voices of the Council of Ireland. The occasion of which clause[2] so passed to my Lord, doth notably disclose and point unto the precise trust committed to my Lord for the northern journey; for when his commission was drawn at first according to former precedents, and on the other side my Lord insisted strongly[3] to have this new and *primâ facie* vast and exorbitant authority, he used this argument; That the Council of Ireland had many of them livings and possessions in or near the province of Leinster and Munster; but that Ulster was abandoned from any such particular respects, whereby it was like the Council there would be glad to use her Majesty's forces for the clearing and assuring of those territories and countries where their fortunes and estates were planted; so as if he should be tied to their voices, he were like to be diverted from the main service intended: upon which reason that clause[2] was yielded unto.

So as it was then concluded that all circumstances tended to one point, that there was a full and precise intention and direction for Ulster, and that my Lord could not descend into the consideration of his own quality and value, he could not muster his fair army, he could not account with the Treasurer and take

[1] *accept* in MS. [2] *cause* in MS. [3] *strangely* in MS.

consideration of the great mass of treasure issued, he could not look into the ample and new clauses of his letters patents, he could not look back either to his own former discourses or to the late propositions whereof himself was author, nor to the conferences, consultations, and conclusions thereupon, nor principally to her Majesty's royal direction and expectation, nor generally to the conceit both of subjects of this realm, and the rebels themselves in Ireland; but which way soever he turned, he must find himself trusted, directed, and engaged wholly for the northern expedition.

The parts of this that was charged were verified by three proofs: the first the most authentical, but the least pressed, and that was her Majesty's own royal affirmation, both by her speech now and her precedent letters; the second, the testimony of the Privy Council, who upon their honours did avouch the substance of that was charged, and referred themselves also to many of their Lordships' letters to the same effect; the third, letters written from my Lord after his being in Ireland, whereby the resolution touching the design of the north is often knowledged.

The proofs.

There follow some clauses both of her Majesty's letters, and of the Lords of her Council, and of the Earl's and the Council of Ireland, for the verification of this point.

Her Majesty, in her letter of the 19th of July to my Lord of Essex, upon the lingering of the northern journey, doubting my Lord did value service rather by the labour he endured than by the advantage of her Majesty's royal ends, hath these words:—

Her Majesty to the Earl of Essex, 19th of July, immediately after the Munster journey.

"You have in this dispatch given us small light either when or in what order you intend particularly to proceed to the northern action; wherein if you compare the time that is run on and the excessive charges that is spent with the effects of anything wrought by this voyage (howsoever we remain satisfied with your own particular cares and travails of body and mind), yet you must needs think that we, that have the eyes of foreign princes upon our actions, and have the hearts of people to comfort and cherish, who groan under the burden of continual levies and impositions which are occasioned by these late actions, can little please ourself hitherto with anything that hath been effected."

In another branch of the same letter, reflecting her royal regard upon her own honour interessed in this delay, hath these words:—

"Whereunto we will add this one thing that doth more displease us than any charge or offence that happens, which is that it must be the Queen of England's fortune (who hath held down the greatest enemy she had) to make a base bush-kern to be accounted so famous a rebel as to be a person against whom so many thousands of foot and horse, beside the force of all the nobility of that kingdom, must be thought too little to be employed." A second clause of the same letter.

In another branch, discovering as upon the advantage ground of her princely wisdom what would be the issue of the courses then held, hath these words:—

"And therefore, although by your letter we found your purpose to go northwards, on which depends the main good of our service, and which we expected long since should have been performed; yet because we do hear it bruited (besides the words of your letter written with your own hand, which carries some such sense) that you who allege such sickness in your army by being travelled with you, and find so great and important affairs to digest at Dublin, will yet engage yourself personally into Ophalie (being our Lieutenant) when you have there so many inferiors able mought victual a fort, or seek revenge against those who have lately prospered against our forces; and when we call to mind how far the sun hath run his course, and what dependeth upon the timely plantation of garrisons in the North, and how great scandal it would be to our honour to leave that proud rebel unassayed, when we have with so great an expectation of our enemies engaged ourselves so far in the action, so that without that be done all these former courses will prove like *via navis in mari;* besides that our power, which hitherto hath been dreaded by potent enemies, will now even be held contemptible amongst our rebels; we must plainly charge you according to the duty you owe to us so to unite soundness of judgment to the zeal you have to do us service, as with all speed to pass thither in such sort as the axe might be put to the root of that tree, which hath been the treasonable stock from whom so many poisoned plants and grafts have been derived; by which proceedings of yours we may neither have cause to repent of our employment of yourself for omitting those opportunities to shorten the wars, nor receive in the eye of the world imputation of too much weakness in ourself, to begin a work without better foresight what would be the A third clause of the same letter.

end of our excessive charge, the adventure of our people's lives, and the holding up of our own greatness against a wretch whom we have raised from the dust, and who could never prosper if the charges we have been put to were orderly employed."

Her Majesty to my Lord of Essex, the 30th of July.

Her Majesty in her particular letter written to my Lord the 30th of July, bindeth still expressly upon the northern prosecution my Lord *ad principalia rerum*, in these words:—

"First, you know right well, when we yielded to this excessive charge, it was upon no other foundation than to which yourself did ever advise us as much as any, which was to assail the northern traitor and to plant garrisons in his country; it being ever your firm opinion amongst other our Council to conclude that all that was done in other kind in Ireland was but waste and consumption."

Her Majesty in her letter of the 9th of August to my Lord of Essex and the Council of Ireland, when after Munster journey they began in a new tune[1] to dissuade the northern journey, in her excellent ear quickly finding a discord of men from themselves, chargeth them in these words:—

Her Majesty to my Lord and the Council of Ireland, 9th August.

"Observe well what we have already written, and apply your counsels to that which may shorten and not prolong the war; seeing never any of you was of other opinion than that all other courses were but consumptions, except we went on with the northern prosecution."

The Lords of her Majesty's Council, in their letter of the 10th of August to my Lord of Essex and the Council of Ireland, do in plain terms lay before them the first plot, in these words:—

The Lords of the Council to my Lord and the Council of Ireland, 10th Aug.

"We cannot deny but we did ground our counsels upon this foundation, That there should have been a prosecution of the capital rebels in the North, whereby the war might have been shortened; which resolution, as it was advised by yourself before your going and assented to by most part of the council of war that were called to the question, so must we confess to your Lordship, that we have all this while concurred with her[2] Majesty in the same desire and expectation."

My Lord of Essex and the Council of Ireland, in their letter of the 5th of May to the Lords of the Council, before the Munster journey, write *in hæc verba*.

My Lord of Essex and

"Moreover in your Lordships' great wisdom you will likewise

[1] *time* in MS. [2] *our:* MS.

judge what pride the rebels will grow to, what advantage the foreign enemy may take, and what loss her Majesty shall receive, if this summer the arch-traitor be not assailed and garrisons planted upon him." the Council of Ireland to the Lords, 5th May.

My Lord of Essex, in his particular letter of the 11th of July, to the Lords of the Council, after Munster journey, writeth thus:—

"As fast as I can call these troops together I will go look upon yonder proud rebel, and if I find him on hard ground and in an open country, though I should find him in horse and foot three for one, yet will I by God's grace dislodge him, or put the Council to the trouble of," [etc.] The Earl to the Lords, 11th July.

The Earl of Essex in his letter of the 14th of August to the Lords of the Council, writeth[1] out of great affection as it seemeth in these words:—

"Yet must these rebels be assailed in the height of their pride, and our base clowns must be taught to fight again; else will her Majesty's honour never be recovered, nor our nation valued, nor this kingdom reduced." The Earl to the Lords, 14th Aug.

Besides it was noted, that whereas my Lord and the Council of Ireland had by theirs of the 15th of July desired an increase of 2000 Irish purposely for the better setting on foot of the northern service; her Majesty, notwithstanding her proportions by often gradations and risings had been raised to the highest elevation, yet was pleased to yield unto it.

1. The first part concerneth my Lord's ingress into his charge, and that which passed here before his going hence. Now followeth in[2] order both of time and matter, what was done after my Lord was gone into Ireland, and had taken upon him the government by her Majesty's commission.

2. The second part then of the first article was to show, that my Lord did wilfully and contemptuously, in this great point of estate, violate and infringe her Majesty's direction before remembered. That my Lord did wilfully and contemptuously violate her Majesty's direction touching the northern journey.

In delivering of the evidence and proofs of this part, it was laid down for a foundation, *That there was a full performance on her Majesty's part of all the points agreed upon for this great prosecution; so as there was no impediment or cause of interruption from hence.*

[1] *hee writeth* in MS.

[2] *an* in MS.

This is proved by a letter from my Lord of Essex and the Council of Ireland to the Lords of the Council here, dated 9 May, which was some three weeks after my Lord had received the sword, by which time he might well and thoroughly inform himself whether promise were kept in all things or no, and the words of the letter are these:—

The Earl of Essex and the Council of Ireland, to the Lords of the Council, 9th May.

"As your Lordships do very truly set forth, and we do very humbly acknowledge her Majesty's chargeable magnificence and royal preparations and transportations of men, munition, apparel, money, and victuals, for the recovery of this distressed kingdom;" where note, the transportations acknowledged as well as the preparations.

Next, it was set down for a second ground, that there was no natural nor accidental impediment in the estate of the affairs themselves against the prosecution upon Tyrone, but only culpable impediments raised by the journey of Munster.

The Earl of Essex and the Council of Ireland to the Lords of the Council, 28th April.

This appeared by a letter from my Lord and the Council of Ireland to the Lords of the Council here, dated the 28th of April, whereby they advertise, that the prosecution of Ulster, in regard of *lack of grass and forage, and the poorness of cattle at that time of year*, and such-like difficulties of the season and not of the matter, will in better time and with better commodity for the army be fully executed about the middle of June or beginning of July, and signify that the Earl intended a present prosecution should be set on foot in Leinster: to which letters the Lords make answer by theirs of the 8th of May, signifying her Majesty's toleration of the delay.

Here the manuscript unfortunately stops. It stops in the middle of the page without any mark of ending; as if it had been left unfinished: and for the continuance and termination of the proceedings our best evidence is a report which having been sent by some friend to Lord Montjoy (whom it so deeply concerned to know what passed) came into the hands of Fynes Moryson, who printed it in his 'Itinerary.'

12.

Bacon did not succeed in persuading the Queen to restore Essex at once to his former favour; and we who know what projects he had been meditating just before and what he engaged in soon after, may easily believe that she had better grounds than Bacon knew of for

suspecting the sincerity of his submission, and being disappointed with the result of the proceeding. It has always been reckoned among the Earl's virtues that he was a bad dissembler; and if in his present state of mind he could assume the natural language and bearing of fidelity and loyalty, he must have been a very good one. Yet after some hesitation and delay she justified the opinion which had been conceived with regard to the spirit in which she was proceeding. Within a month she released him from his keeper; and about six weeks after gave him liberty to go where he would,—except to Court.

This opens a new chapter in his fortunes. No longer in danger, no longer under restraint, he cannot henceforth be supposed to be acting from fear. All that in the life of a private man is most prized —freedom, leisure, popularity, wealth, gifts of nature, and accomplishments of education,—he possesses in greater abundance than most other men. If his purposes are good and his aspirations pure, there seems to be no reason why he may not be happy in retirement, and earn the right to reappear in his former, or more than his former, greatness.

CHAPTER VIII.

A.D. 1600.—July to December. ÆTAT. 40.

1.

Of Bacon's speech in the proceeding at York House on the 5th of June the report is so meagre that we cannot judge for ourselves of the spirit in which he executed his task. We only know that he distinctly disclaimed on behalf of the government all intention to charge the Earl with disloyalty—"for if that (he said) had been the question, this had not been the place"—and that after "considering particularly the journey into Ireland," he proceeded to the two points on which he had been instructed to enlarge by way of admonition, —namely, certain presumptuous expressions contained in the Earl's letter to the Lord Keeper in 1598, and his patronage of Dr. Hayward's book; of which part the reporter has only preserved one or two disconnected sentences. The subject was not of his own choosing: and for the manner of treatment, on which in such a case everything depends, as I do not find that any fault was found with him at this time by the Earl's partisans, and as it is certain that during the next three months he was doing his best to bring about a reconciliation and that his services in that behalf—services of a very confidential kind—were willingly accepted and employed by the Earl himself, I infer that it was not unfriendly.

Those services commenced the next day, as I have already stated, in a private conversation with the Queen; and were followed up shortly after by a letter to the Earl, in which he took occasion, as he had so often done before, to define frankly and clearly the conditions of the service which he offered.

To the Earl of Essex.

My Lord,[1]

No man can better expound my doings than your Lordship, which maketh me need to say the less. Only I humbly pray you

[1] Lansd. MSS. lxxxvii. fo. 210, original, or fair copy, in Bacon's own hand. There is another copy in Add. MSS. 5503, dated 19th July, 1600; probably a copy of

to believe that I aspire to the conscience and commendation first of *bonus civis*, which with us is a good and true servant to the Queen, and next of *bonus vir*, that is an honest man. I desire your Lordship also to think that though I confess I love some things much better than I love your Lordship, as the Queen's service, her quiet and contentment, her honour, her favour, the good of my country, and the like, yet I love few persons better than yourself, both for gratitude's sake, and for your own virtues, which cannot hurt but by accident or abuse. Of which my good affection I was ever and am ready to yield testimony by any good offices but with such reservations as yourself cannot but allow: for as I was ever sorry that your Lordship should fly with waxen wings, doubting Icarus' fortune, so for the growing up of your own feathers, specially ostrich's, or any other save of a bird of prey, no man shall be more glad. And this is the axletree whereupon I have turned and shall turn; which to signify to you, though I think you are of yourself persuaded as much, is the cause of my writing; and so I commend your Lordship to God's goodness. From Gray's Inn, this 20th day of July, 1600.

Your Lordship's most humbly,

Fr. Bacon.

To this letter Essex returned an answer such as Bacon might himself have dictated.

the first draft. It was printed in the 'Resuscitatio' and also in the 'Cabala;' and as the differences, though not material, are in such a case interesting, I give it *in extenso*.

A Letter to the Earl of Essex, in offer of his service, when he was first enlarged to Essex House.

My Lord,

No man can expound my doings better than your Lordship, which makes me need to say the less. Only I humbly pray you to believe, that I aspire to the conscience and commendation of *bonus civis* and *bonus vir;* and that though I love some things better (I confess) than I love your Lordship, yet I love few persons better; both for gratitude's sake, and for your virtues, which cannot hurt but by accident. Of which my good affection it may please your Lordship to assure yourself, and of all the true effects and offices that I can yield. For as I was ever sorry your Lordship should fly with waxen wings, doubting Icarus' fortune, so for the growing up of your own feathers, be they ostriches or other kind, no man shall be more glad; and this is the axletree whereon I have turned and shall turn. Which having already signified to you by some near mean, having now so fit a messenger for my own letter, I thought good to redouble also by writing. And so I commend you to God's protection. From Gray's Inn, this 19th day of July, 1600.

The Lansdowne MS. has no direction nor seal. The original docket was merely "20th July, Mr. Fra. Bacon;" underneath which some later hand has written, "To y^e^ Erl of Salisbury,"—a mistake not corrected by Mr. Montagu, by whom the letter was first printed, vol. xii. p. 477.

An Answer of my Lord of Essex, to the preceding Letter of Mr. Bacon.[1]

Mr. Bacon,

I can neither expound nor censure your late actions; being ignorant of all of them save one; and having directed my sight inward only, to examine myself. You do pray me to believe that you only aspire to the conscience and commendation of *bonus civis* and *bonus vir;* and I do faithfully assure you, that while that is your ambition (though your course be active and mind[2] contemplative) yet we shall both *convenire in eodem tertio;* and *convenire inter nosipsos.* Your profession of affection, and offer of good offices, are welcome to me. For answer to them I will say but this; that you have believed I have been kind to you, and you may believe that I cannot be other, either upon humour or mine own election. I am a stranger to all poetical conceits, or else I should say somewhat of your poetical example. But this I must say, that I never flew with other wings than desire to merit, and confidence in my Sovereign's favour; and when one of these wings failed me, I would light nowhere but at my Sovereign's feet, though she suffered me to be bruised with my fall. And till her Majesty, that knows I was never bird of prey, finds it to agree with her will and her service that my wings should be imped again, I have committed myself to the mue. No power but my God's, and my Sovereign's, can alter this resolution of

Your retired friend,

Essex.

Words could not describe an attitude of mind more becoming to the Earl's present position, or one which Bacon more wished him to maintain; and if he had had patience to maintain it, it is probable that in spite of all that had passed the Queen would have once more forgotten or forgiven his many offences and received him again into favour. Cautious she was, and suspicious, and distrustful of fair words, as she might well be. But Bacon, judging from her demeanour, lived in continual expectation that she would relent. "Having received from his Lordship a courteous and loving acceptation of my goodwill and endeavours, I did apply it in all my accesses to the Queen, which were very many at that time, and purposely sought and wrought upon other variable pretences, but only and chiefly for that purpose. And on the other side I did not forbear to give my Lord from time to time faithful advertisement of what I found and what I wished. And I drew for him by his appointment some letters to her Majesty; which though I knew well his Lordship's gift and style to be far better than mine own, yet because he required it, alleging that by his long restraint he was grown almost a stranger

[1] Rawley's 'Resuscitatio,' p. 10.

[2] So in 'Resuscitatio:' qy. *mine.*

to the Queen's present conceits, I was ready to perform it: and sure I am that for the space of six weeks or two months it prospered so well, as I expected continually his restoring to his attendance. And I was never better welcome to the Queen nor more made of than when I spake fullest and boldest for him."[1]

Of the letters drawn up by Bacon in Essex's name two have been preserved, which may possibly belong to this period; and though they contain certain expressions which appear more applicable to some of his earlier eclipses, yet in the absence of all means of fixing the date, they may as well be inserted here; being no doubt, if not the very letters referred to in the above passage, at least letters of the same kind and written for the same purpose. The similarity of the circumstances in the several cases, and the uniformity of the tenor of Bacon's advice, make it at once more difficult and less important to ascertain which was meant for which.

The first comes from the supplementary collection in the 'Resuscitatio,' and runs thus.

To the Queen.[2]

Written by Mr. Bacon for my Lord of Essex.

It may please your Majesty,

It were great simplicity in me to look for better, than that your Majesty should cast away my letter as you have done me; were it not that it is possible your Majesty will think to find somewhat in it whereupon your displeasure may take hold; and so indignation may obtain that of you which favour could not. Neither mought I in reason presume to offer unto your Majesty dead lines, myself being excluded as I am; were it not upon this only argument or subject, namely to clear myself in point of duty. Duty, though my state lie buried in the sands, and my favours be cast upon the waters, and my honours be committed to the wind, yet standeth surely built upon the rock, and hath been, and ever shall be, unforced and unattempted. And therefore, since the world out of error, and your Majesty I fear out of art, is pleased to put upon me that I have so much as any election or will in this my absence from attendance, I cannot but leave this protestation with your Majesty; that I am and have been merely a patient, and take myself only to obey and execute your Majesty's will. And indeed, Madam, I had never thought it possible that your Majesty could have so disinterested your-

[1] Apology.

[2] Rawley's 'Resuscitatio,' Supplement, p. 94.

self of me; nor that you had been so perfect in the art of forgetting; nor that after a quintessence of wormwood, your Majesty would have taken so large a draught of poppy; as to have passed so many summers without all feeling of my sufferings. But the only comfort I have is this, that I know your Majesty taketh delight and contentment in executing this disgrace upon me. And since your Majesty can find no other use of me, I am glad yet I can serve for that. Thus making my most humble petition to your Majesty, that in justice (howsoever you may by strangeness untie, or by violence cut asunder all other knots), your Majesty would not touch me in that which is indissoluble; that is point of duty; and that your Majesty will pardon this my unwarranted presumption of writing, being to such an end: I cease in all humbleness;

Your Majesty's poor, and never so unworthy servant,

ESSEX.

The other is a first draft, written in great haste, and preserved among the papers at Lambeth.[1] It is docketed in Bacon's own hand "A letter framed for my Lord of Essex to the Queen;" but being such a letter as Essex might have naturally and wisely addressed to her on several occasions, and containing no allusion to the special circumstances of this particular time, the date (which is wanting) must remain doubtful. It would have been well fitted however to bring about the result which at this time Bacon most wished to see, namely a personal interview. And the expression of an earnest desire for explanation and direction was more likely to induce it, as well as more becoming in itself, than the vague language of affected love and despair in which the Earl himself was in the habit of addressing her.

THE SUBSTANCE OF A LETTER I NOW WISH YOUR LORDSHIP SHOULD WRITE TO HER MAJESTY.

That you desire her Majesty to believe *id quod res ipsa loquitur*, that [it] is not conscience to yourself of any advantage her Majesty hath towards you (otherwise than the general and infinite advantage of a queen and a mistress), nor any drift or device to win her Majesty to any point or particular, that moveth you to send her these lines of your own mind; but first and prin-

[1] Lambeth MSS. 941. 139.

cipally gratitude, next a natural desire out of, you will not say the tedious remembrance, for you can hold nothing tedious that hath been derived from her Majesty, but the troubled and pensive remembrance of that which is past, to enjoy better times with her Majesty, such as others have had, and that you have wanted. You cannot impute the difference to the continuance of time, which addeth nothing to her Majesty but increase of virtue; but rather to your own misfortune or errors. Wherein nevertheless, if it were only question of your own endurances, though any strength never so good may be oppressed, yet you think you should have suffocated them, as you had often done, to the impairing of your health and weighing down of your mind. But that which indeed toucheth the quick, is that, whereas you accounted it the choice fruit of yourself to be a contentment and entertainment to her Majesty's mind, you found many times to the contrary, that you were rather a disquiet to her and a distaste.

Again, whereas in the course of her service, though you confess the weakness of your own judgment, yet true zeal not misled with any mercenary nor glorious respect made you light sometimes upon the best and soundest counsel, you had reason to fear that the distaste particular against yourself made her Majesty further off from accepting any of them from such a hand. So as you seemed (to your deep discomfort) to trouble her Majesty's mind and to foil her business; inconveniencies which, if you be minded as you ought, thankfulness should teach you to redeem with stepping down, nay throwing yourself down, from your own fortune. In which intricate case, finding no end of this former course, and therefore desirous to find the beginning of a new, you have not whither to resort but unto the oracle of her Majesty's direction. For though the true introduction *ad tempora meliora* be by an *amnestia* of that which is past, except it be in the sense that the verse speaketh *Olim hæc meminisse juvabit*, when tempests past are remembered in the calm; and that you do not doubt of her Majesty's goodness in pardoning and obliterating any your errors or mistakings heretofore, refreshing the memory and contemplation of your poor services or anything that hath been grateful to her Majesty from you, yea and somewhat of your sufferings,—So, though that be, yet you may be to seek for the time to come. For as you have determined your hope in a good

hour not willingly to offend her Majesty either in matter of court or state, but to depend absolutely upon her will and pleasure; so you do more doubt and mistrust your wit and insight in finding her Majesty's mind, than your conformities and submission in obeying it; the rather because you cannot but nourish a doubt in your breast, that her Majesty, as princes' hearts are inscrutable, hath many times towards you *aliud in ore* and *aliud in corde*. So that you, that take her *secundum literam*, go many times further out of your way.

Therefore your most humble suit to her Majesty is, that she will vouchsafe you that approach to her heart and bosom *et ad scrinium pectoris*, plainly, for as much as concerneth yourself, to open and expound her mind towards you, suffering you to see clear what may have bred any dislike in her Majesty, and in what points she would have you to reform yourself, and how she would be served by you. Which done, you do assure her Majesty she shall be both at the beginning and the ending of all that you do, of that regard as you may presume to impart to her Majesty.

And so that hoping that this may be an occasion of some further serenity from her Majesty towards you, you refer the rest to your actions, which may verify what you have written, as that you have written may interpret your actions, and the course you shall hereafter take.

2.

But letters conceived in this spirit must have been either much modified to bring them into conformity with the Earl's ordinary style, or exposed to suspicion of insincerity from the contrast: and the Queen might be better satisfied as to the real state of his mind if she knew how he expressed himself to other people,—speaking of her, not to her. Anthony Bacon was the person to whom on such a subject he would most naturally open himself, and it was accordingly arranged that letters should pass between them framed for that purpose. "It was at the self-same time that I did draw with my Lord's privity and by his appointment two letters, the one written as from my brother, the other as an answer returned from my Lord, both to be by me in secret manner showed to the Queen; . . . . . the scope of which was but to represent and picture forth unto her Majesty my Lord's mind to be such as I knew her Majesty would fainest have had it: which letters whosoever shall see (for they cannot now be retracted or altered, being by reason of my brother's or his Lordship's servants'

delivery long since come into divers hands), let him judge, especially if he knew the Queen and do remember those times, whether they were not the labours of one that sought to bring the Queen about for my Lord of Essex his good."[1]

These letters have fortunately been preserved in two independent copies; one printed by Rawley in the 'Resuscitatio' from Bacon's own collection, the other in the 'Remains'—no doubt from one of the copies which Bacon speaks of as having previously got abroad. But they are evidently derived from the same original; the differences being merely such as would naturally occur through errors in transcribing or printing. The copy which follows is from the manuscript collection in the British Museum (Additional MSS. 5503)—which appears to be more correct than either, being probably the original of Rawley's copy. The heading explains fully and clearly the nature and occasion of them.

Two Letters framed by Sir Francis Bacon, the one as in the name of Mr. Anthony Bacon, his brother, to the Earl of Essex; the other as the Earl's answer thereunto;

Both which by the advice of Mr. Anthony Bacon and with the privity of the said Earl were to be showed Queen Elizabeth upon some occasion, as a mean to work her Majesty to receive the Earl again to favour and attendance at Court. They were devised while my Lord remained prisoner in his own house.

My singular good Lord,

This standing at a stay in your Lordship's fortune doth make me in my love towards your Lordship jealous lest you do somewhat, or omit somewhat,[2] that amounteth to a new error; for I suppose of all former matters there is a full expiation. Wherein for anything that your Lordship doth, I for my part (who am remote) cannot cast nor devise wherein any error should be, except in one point, which I dare not censure nor dissuade; which is, that (as the prophet saith) in this affliction you look up *ad manum percutientem*, and so make your peace with God. And yet I have heard it noted that my Lord of Leicester (who could never get to be taken for a saint) nevertheless in the Queen's dis-

[1] Apology.

[2] So in both the printed copies. The clause "or omit somewhat" is left out in the MS., probably by the transcriber's error.

favour waxed seeming religious: which may be thought by some, and used by others, as a case resembling yours, if men do not see and will not see the difference between your two dispositions. But to be plain with your Lordship, my fear rather is, because I hear how some of your good and wise friends, not unpractised in the Court, and supposing themselves not to be unseen in that deep and inscrutable centre of the Court, which is her Majesty's mind, do not only toll the bell, but even ring out peals, as if your fortune were dead and buried, and as if there were no possibility of recovering her Majesty's favour, and as if the best of your condition were to live a private and retired life, out of want, out of peril, and out of manifest disgrace; and so in this persuasion of theirs include a persuasion to your Lordship to frame and accommodate your actions and mind to that end: I fear, I say, that this untimely despair may in time bring forth a just despair, by causing your Lordship to slack and break off your wise, loyal, and seasonable endeavours and industries for reintegration to her Majesty's favour; in comparison whereof all other circumstances are but as *atomi*, or rather as *vacuum* without any substance at all. Against this opinion it may please your Lordship to consider of these reasons which I have collected; and to make judgment of them, neither out of the melancholy of your present fortune, nor out of the infusion of that which cometh to you by others' relation (which is subject to much tincture), but *ex rebus ipsis*, out of the nature of the persons and actions themselves, as the trustiest and least deceiving grounds of opinion. For though I am so unfortunate as to be a stranger to her Majesty's eye and to her nature;[1] yet by that which is apparent, I do manifestly discern that she hath that character of the divine nature and goodness, *quos amavit amavit usque ad finem;* and where she hath a creature she doth not deface nor defeat it. Insomuch as, if I observe rightly, in those persons whom heretofore she hath honoured with her special favour, she hath covered and remitted not only defects and ingratitudes in affection, but errors in state and service. Secondly, if I can spell and scholar-like put together the parts of her Majesty's proceeding now towards your Lordship, I can but make this construction; that her Majesty in her royal intention never purposed to call your Lordship's doings

[1] So both 'Resuscitatio' and MS. 5503. The copy in the 'Remains' has "much more to her nature and manners."

into public question, but only to have used a cloud without a shower, in censuring them by some temporary restraint only of liberty, and debarring you from her presence. For first, the handling the cause in the Star Chamber, you not called, was enforced by the violence of libelling and rumours, wherein the Queen thought to have satisfied the world, and yet spared your Lordship's appearance. And then after, when that means, which was intended for the quenching of malicious bruits, turned to kindle them (because it was said your Lordship was condemned unheard, and your Lordship's sister wrote that piquant letter), then her Majesty saw plainly that these winds of rumours could not be commanded down without a handling of the cause by making you party and admitting your defence. And to this purpose I do assure your Lordship that my brother Francis Bacon, who is too wise (I think) to be abused, and too honest to abuse, though he be more reserved in all particulars than is needful, yet in generality he hath ever constantly and with asseveration affirmed to me that both those days, that of the Star Chamber and that at my Lord Keeper's, were won from the Queen merely upon necessity and point of honour, against her own inclination. Thirdly, in the last proceeding I note three points, which are directly significant that her Majesty did expressly forbear any point which was irreparable, or might make your Lordship in any degree incapable of the return of her favour, or might fix any character indelible of disgrace upon you. For she spared the public place of the Star Chamber; she limited the charge precisely not to touch disloyalty; and no record remaineth to memory of the charge or sentence. Fourthly, the very distinction which was made in the sentence, of sequestration from the places of service in state, and leaving your Lordship the place of Master of the Horse, doth to my understanding, *indicativè*, point at this, —that her Majesty meant to use your Lordship's attendance in Court, while the exercises of the other places stood suspended. Fifthly, I have heard, and your Lordship knoweth better, that now since you were in your own custody her Majesty in *verbo regio*, and by his mouth to whom she committeth her royal grants and decrees, hath assured your Lordship she will forbid and not suffer your ruin. Sixthly, as I have heard her Majesty to be a prince of that magnanimity, that she will spare the service of the ablest subject or peer when she shall be thought to stand in

need of it; so she is of that policy, as she will not lose the service of a meaner than your Lordship, where it shall depend merely upon her choice and will. Seventhly, I hold it for a principle, that generally those diseases are hardest to cure whereof the cause is obscure, and those easiest whereof the cause is manifest. Whereupon I conclude that since it hath been your errors in your courses towards her Majesty which have prejudiced you, that your reforming and conformity will restore you, so as you may be *faber fortunæ propriæ*. Lastly, considering your Lordship is removed from dealing in causes of state, and left only to a place of attendance, methinks the ambition of any man who can endure no partners in state matters may be so quenched, as they should not laboriously oppose themselves to your being in Court. So as upon the whole matter, I can find neither in her Majesty's person, nor in your own person, nor in any third person, neither in former precedents, nor in your own case, any cause of dry and peremptory despair. Neither do I speak this, but that if her Majesty out of her resolution should design you to a private life, you should be as willing upon her appointment to go into the Wilderness as into the Land of Promise; only I wish your Lordship will not preoccupate despair, but put trust next to God in her Majesty's grace, and not to be wanting to yourself.

I know your Lordship may justly interpret that this which I persuade may have some reference to my particular, because I may truly say, *Te stante*, not[1] *virebo* (for I am withered in myself), but *manebo*, or *tenebo*; I shall in some sort be able to hold out. But though your Lordship's years and health may expect a return of grace and fortune, yet your eclipse for a time is an *ultimum vale* to my fortune; and were it not that I desire and hope to see my brother established by her Majesty's favour (as I think him well worthy, for that he hath done and suffered), it were time to take that course from which I dissuade your Lordship. But now in the meantime, I cannot choose but perform these honest duties to you, to whom I have been so deeply bounden.

THE LETTER FRAMED AS FROM THE EARL IN ANSWER OF THE FORMER LETTER.

Mr. Bacon,

I thank you for your kind and careful letter. It persuadeth

[1] *non* in MS.

me that which I wish strongly, and hope for weakly; that is a possibility of restitution to her Majesty's favour. Your arguments that would cherish hope turn to despair. You say the Queen never meant to call me to public censure, which showeth her goodness; but you see I passed it, which showeth others' power. I believe most steadfastly her Majesty never intended to bring my cause to a sentence: and I believe as verily that since the sentence she meant to restore me to attend upon her person. But they that could use occasions (which it was not in me to let), and amplify occasions, and practise occasions, to represent to her Majesty a necessity to bring me to the one, can and will do the like to stop me from the other. You say my errors were my prejudice, and therefore I can mend myself: it is true. But they that know that I can mend myself, and that if ever I recover the Queen, I will never lose her again, will never suffer me to obtain interest in her favour. You say the Queen never forsook utterly, where she inwardly favoured. But I know not whether the hour-glass of time hath altered her; but sure I am the false glass of others must alter her, when I want access to plead my own cause. I know I ought doubly infinitely to be her Majesty's: both *jure creationis*, for I am her creature, and *jure redemptionis*, for I know she hath saved me from overthrow. But for her first love, and for her last protection, and all her great benefits, I can but pray for her Majesty. And my endeavours are now to make my prayers for her and myself better heard. For, thanks be to God, they that can make her Majesty believe I counterfeit with her, cannot make God believe that I counterfeit with him. And they which can let me from coming near unto her, cannot let me from drawing near unto him, as I hope I do daily. For your brother, I hold him an honest gentleman, and wish him all good, much the rather for your sake. Yourself I know hath suffered more for me than any friend I have: but I can but lament freely, as you see I do, and advise you not to do that which I do, which is to despair. You know letters what hurt they have done me, and therefore make sure of this: and yet I could not (as having no other pledge of my love) but communicate freely with you, for the ease of my heart and yours.

3.

Such was the temper in which Bacon wished Essex to be, and of which he was content for awhile at least to put on the appearance, and see what it would bring. The first thing it brought was liberty. On the 26th of August he was formally released from all remaining restraint, except that which still forbade him to appear at Court without leave. A little patience in the same course would probably have brought about a complete reconciliation. But patience implies delay, and when dangerous secrets are involved, anxiety may make delay intolerable. As long as his secrets were safe—secrets, be it remembered, of which Bacon had no suspicion,—Essex had nothing either to bear or to fear worse than want of power and favour. But what if they should by any accident come to the Queen's knowledge? In that case he might well fear for his head, unless he could in the meantime make himself too dangerous to be attacked. To make himself so he had two chances; one through the Queen's favour, which was to be won by the exhibition of loyal affection; the other through arrangements with Scotland and the army in Ireland for self-defence. And it seems that, not able to rely boldly upon either, he wanted to secure both. To the Commissioners who conveyed to him the Queen's order for his liberty, he declared that it was his wish to live a private life in the country; and only desired permission to see her once before he went. To the Queen herself he wrote letter after letter in the language of a man who valued nothing in the world apart from her favour. His request to see her being refused, he retired into the country in the beginning of September; remained quiet there for the rest of the month; and returned to Essex House in October, where "he lived" (as far as the newsmen of the time could learn) "very private, his gate shut day and night," suing unsuccessfully for a renewal of his monopoly of sweet wines, but "well, and with great patience enduring the heavy cross of her Majesty's displeasure towards him."[1] Such was the aspect he presented to the world in general, and to those of his friends with whom, as with the Bacons, he could only venture upon a half-confidence. To those whom he regarded as assured partisans through thick and thin, he appeared in a very different light,—a man restless and impatient; bent on recovering his greatness, if not by lawful then by unlawful means; renewing his invitation to the King of Scots to take more vigorous measures for the recognition of his title; applying to Lord Montjoy for a letter of remonstrance, under colour of which, should his suit for the monopoly (the lease of which was to

[1] Syd. Pap. ii. p. 219. Oct. 24.

expire at Michaelmas) be rejected, he might "by means of his friends present himself to the Queen;"[1] that is, make himself master of the Court; revolving many half-digested plans for engaging popular sympathy and support; and betraying in the agitations of uncertainty and anxiety a disorder of mind resembling madness. "It resteth with me in opinion (writes Sir John Harington) that ambition thwarted in his career doth speedily lead on to madness: and herein I am confirmed by what I learn of my Lord of Essex; who shifteth from sorrow and repentance to rage and rebellion so suddenly as well proveth him devoid of good reason or of right mind. In my last discourse he uttered strange words bordering on such strange designs, that made me hasten forth and leave his presence. Thank heaven I am safe at home, and if I go in such troubles again, I deserve the gallows for a meddling fool. His speeches of the Queen become no man who hath *mens sana in corpore sano*. He hath ill advisers, and much evil hath sprung from this source. The Queen well knoweth how to humble the haughty spirit, the haughty spirit knoweth not how to yield, and the man's soul seemeth tossed to and fro like the waves of a troubled sea."[2]

Of all this Bacon knew nothing. He may have felt that the Earl's professions of devotion to the Queen did not spring out of any deep feeling either of love or reverence; but he did not know that his attitude of despairing affection was deliberately assumed as a mask; that he wore armour under his gown; and was prepared, if he could not gain his end by begging, to take it by force. Had he been aware of this, he would have had no difficulty in accounting for the revulsion he describes as taking place about Michaelmas in the Queen's feelings. It was at Michaelmas that Essex's monopoly-patent expired, the renewal or non-renewal of which he had determined to regard as a decisive test of the Queen's disposition towards him; and in case of non-renewal to abandon at once the trial of patience and submission, and resolve upon some other course. The disposal of the lease remained in suspense till the end of October, when it was assigned to Commissioners for the Queen's own use; and Essex took his resolution accordingly. Such a resolution in such a mind would inevitably produce a change of manner which would put the Queen upon her guard, even if we reject as scandal the report that it betrayed him into expressions of coarse contempt, which were repeated to her; and though Bacon in his 'Apology,' dealing as tenderly as possible with the Earl's memory, shrinks from suggesting the true explanation, Montjoy, to whom it was addressed, and who knew better than Bacon what Essex had really been about all this time, would

[1] Sir C. Davers's declaration. [2] Nugæ Antiquæ, i. p. 179.

easily supply the omission; which being supplied, the issue follows naturally enough. "The truth is" (proceeds the 'Apology,' immediately after the words last quoted from it) "that the issue of all his dealing grew to this, that the Queen, by some slackness of my Lord's, as I imagine, liked him worse and worse, and grew more incensed towards him. Then she, remembering belike the continual and incessant and confident speeches and courses that I had held on my Lord's side, became utterly alienated from me, and for the space of at least three months, which was between Michaelmas and New Year's tide following, would not so much as look on me, but turned away from me with express and purposelike discountenance wheresoever she saw me."

Thus we see that from the latter part of July to the end of September Bacon, though treated as a confidential adviser, had really been kept in the dark as to half the Earl's case; and that from the end of September his influence over his conduct and fortunes was entirely at an end. Thenceforward, the Queen's ear being shut against him, and Essex following his own course not only against his advice (as he had long done) but without his knowledge, he had no means of interfering either to guide him from errors or to protect him from the consequences of them.

4.

For awhile therefore he retires into the background and occupies himself about his proper business; which was partly the business of the Counsel Learned in looking after matters of law and revenue; partly I suppose the preparation of his Reading on the Statute of Uses,—for he had just been chosen Double Reader at Gray's Inn for the following Lent,[1] and was about to deliver a course of lectures on that subject; and partly the payment of debts and clearing of his estate from embarrassment; concerning his progress in which perplexing task the two following letters to Mr. Hickes give us some information.

It will be remembered that the last time he was pressed for the payment of a debt which he had not present means of satisfying, it was to Mr. Hickes that he applied for help: and it is a good sign when a borrower applies again to one who has had former experience of his dealings in that kind. The letters are taken from the originals, which are still to be seen among the Lansdowne Manuscripts in the British Museum, and do not appear to require any explanation.

[1] See Gray's Inn Order Book. 24th Oct. 1600.

To Mr. M. Hickes.[1]

Mr. Hickes,

Your remain shall be with you this term. But I have now a furder request which if you perform I shall think you one of the best friends I have, and yet the matter is not much to you. But the timing of it is much to me. For I am now about this term to free myself from all debts which are any ways in suit or urged, following a faster pace to free my credit than my means can follow to free my state, which yet cannot stay long after, I having resolved to spare no means I have in hand (taking other possibilities for advantage) to clear myself from the discontent speech or danger of others. And some of my debts of most clamour and importunity I have this term and some few days before ordered and in part paid. I pray you to your former favours which I do still remember and may hereafter requite, help me out with 200*l.* more for six months. I will put you in good sureties, and you shall do me a great deal of honesty and reputation. I have writ to you the very truth and secret of my course, which to few others I would have done, thinking it may move you. And so with my loving commendations I rest

Your assured loving friend,

Fr. Bacon.

Jan. 25, 1600.

The next letter appears to be in reply to Mr. Hickes's answer to the last.

To Mr. Michael Hickes.[2]

Mr. Hickes,

I thank you for your letter testifying your kind care of my fortune, which when it mendeth your thanks will likewise amend. In particular you write you would be in town as on Monday which is passed, and that you would make proof of Mr. Billett or some other friend for my supply, whereof I see you are the more sensible because you concur in approving my purpose and resolution of first freeing my credit from suits and speech, and

[1] Lansd. MSS. lxxxviii. fo. 6. Original: own hand.
[2] Lansd. MSS. lxxxvii. fo. 224. Original: own hand.

so my estate by degrees, which in very truth was the cause which made me *subimpudens* in moving you for new help, when I should have helped you with your former moneys. I am desirous to know what success you have had since your coming to town in your kind care. I have thought of two sureties for one hundreth pounds apiece. The one Mr. Fra. Anger of Gray's Inn, he that was the old Count. of Lincoln's executor, a man very honest and very able, with whom I have spoken and he hath promised; the other Sir Tho. Hobby, whom I have not spoken with but do presume of, though I never used him in that kind. So leaving it to your goodwill, I rest,

Your assured loving friend,

Fr. Bacon.

1600.

5.

The Earl of Essex in the meantime, being left to his own counsels and the suggestions of bold men who had already gone too far with him to be safe without going further, returned to the policy from which accident and better advice had diverted him, and applied himself to prepare means of forcing access to the Court in such a shape that he might make his own conditions. The conditions were of course to be for the general benefit; but as he had tried in vain to obtain them without force, there was no help for it—he must use force to obtain them. With this view he had already for the second time applied to Lord Montjoy. Two months before the expiration of his lease of the monopoly of sweet wines, he had sent Sir Charles Davers over to Ireland to communicate his designs and make arrangements for co-operation. But Montjoy, who was now proceeding warily and prosperously with his proper work, disapproved the project and would have nothing to do with it. Help from the army in Ireland therefore, which he had always looked to as a principal arm of his enterprise, he was obliged to dispense with. But he still had hopes of assistance from Scotland. The legitimate interest which the King had in the succession gave him a right to watch with jealousy all movements which bore upon the disposal of the crown after the Queen's death. And if he could be persuaded that the guidance of affairs in England was now in the hands of persons who favoured the title of the Infanta, that the people were on that ground extremely discontented, and that the object of Essex was merely to remove and replace them by persons friendly to his title, he might be induced to

countenance and assist the action. Communications were made accordingly, and though care was taken to destroy all record of the particulars, there yet remains a letter of instructions addressed by James to his ambassadors, from which it may be probably inferred that this was in fact the general tenor of them.[1]

His next care was to draw into the enterprise as many men of note and ability as could be gained. And this was to be done by working upon the discontents of those who were already discontented, and exciting discontent in those who were not. The "strange words bordering on strange designs" which alarmed Sir John Harington were probably meant for feelers. And as early as the beginning of August (about the same time that Davers was sent to Montjoy) he had certainly made an elaborate attempt to breed misunderstanding between Sir Henry Nevill and the Court. Sir Henry Nevill was a kinsman of Sir Robert Cecil's; was then ambassador in France; and was returning to England on the business of his embassy, in which something had gone wrong. The first thing that met him on his arrival was a friendly warning from the Earl of Essex (left at his lodgings the day before by Henry Cuffe) that bad offices had been done him at Court, and that they meant to lay upon him the blame of the miscarriage: a statement which proved to be quite groundless. And afterwards during all that year great pains were taken to draw him into communication with the Earl's most intimate advisers; nor altogether without success: for he was betrayed into a knowledge, though not into participation or approval, of their designs.[2] By like means and under various pretexts a great number of considerable persons were drawn in, more or less deeply, and with more or less knowledge of what was really going on. The Catholics were flattered by promises or what they took for promises of toleration, the Puritans by show of sympathy; stories of Spanish intrigues were set afloat to alarm the multitude; and all plausible courses were taken to attract towards Essex House men of all sorts that were thought likely to favour the objects or follow the fortunes of the conspirators when they should be ready for action; the nature and even the existence of the conspiracy being all the while carefully concealed from all but a very few persons who met in secret conclave at Drury House —a house in the neighbourhood, belonging I believe to the Earl of Southampton, in which Sir Charles Davers lodged. The particulars will be found a little further on fully and clearly narrated in one of the writings which form the proper subject of this work. It is enough

[1] 8th April, 1601. Birch, ii. 510. See also Cuffe's last confession. Additional Evidences, No. VIII.

[2] See his declaration and Cuffe's confession, Ibid. No. VI. and VII.

to say here that by the end of January, 1600-1, all these intrigues and secret consultations had ripened into a deliberate and deep-laid plan for surprising the Court, mastering the guard, and seizing the Queen's person; and so forcing her to dismiss from her counsels Cecil, Ralegh, Cobham, and others, and to make such changes in the state as the conspirators thought fit. By the 4th of February the plan of action had been agreed upon; the posts and parts of the several leaders assigned; everything settled except the day: and the secret was still safe. But though the arrangements were the work of a few heads, the execution required many hands; and as the time drew near and the forces gathered, it became impossible to manage matters so as not to attract attention. On the 7th of February, which was a Saturday, the stir about Essex House had become so great that the Council thought it needed looking after; and a son of the Lord Treasurer's was sent thither as on some ordinary occasion of compliment, that he might see what was going on. Upon whose report one of the Secretaries of State was dispatched to summon the Earl himself to come and speak with them. He, conscious of his own secrets and imagining that they knew more than they really did (for as yet they did not in fact know anything, and meant only "to reprove him for his unlawful assemblies and wish him to retire into the country"[1]), and fearing an arrest, sent word that he was too ill to go; and immediately called his fellow-conspirators into council. What was to be done? The plot was evidently in danger of discovery, and could not wait the due time. The blow must be struck at once or it would be intercepted. But how? Their party was not strong enough to master the Court except by surprise, and surprise would not be practicable if alarm had been taken. Their best chance seemed to be an appeal to the City. The citizens were for the most armed and trained, and the Earl having always been a favourite with them, a plausible pretext might bring them to his side in numbers sufficient to overpower resistance. But what should the pretext be? For what object could they be called on to arm? For the name of Essex had not as yet been associated with any object of popular desire, except victory over foreign enemies or domestic rebels. It had never meant liberty, or plenty, or justice, or no-Popery. And an unorganized multitude, however eager it may be in affection for a man, will hardly take up arms and follow him into the field without knowing what for. The story of a plot among the ministers in favour of the Infanta, which had been invented to alarm the King of Scots and draw him into the enterprise, might have served the purpose if it could have been made credible. But though it had been already set afloat

[1] Cecil to Sir G. Carew.

in London, it was meant, I fancy, to produce its effect further off. At the other end of the island such a rumour might obtain some credit, and serve to justify or to stimulate the proposed interference of the King in behalf of his title. But in London who could believe it? The best thing they could think of was an appeal to the affection of the people for Essex himself. Multitudes are always ready to believe that their favourites are ill used: and if they thought that Essex was in personal danger they would gather to the rescue fast enough. With this hope a story was invented on the sudden, and carefully spread abroad the same evening, of a plot to murder him;—coupled sometimes with the unpopular names of Cobham and Ralegh—sometimes with a vague rumour of "certain Jesuits to the number of four." This alarm would certainly bring all his friends about him, and might prepare the people for an appeal the next morning. And when this was thought by some too uncertain a hope to rely on, a message arriving opportunely from the City to declare their readiness to stand by him—(a message invented, it was suspected afterwards, by some of his own party to quicken his resolutions, but believed at the time to be genuine)—satisfied the doubters and decided the question that way.

Early on Sunday morning his friends arrived from all sides at Essex House: to the number of "three hundred gentlemen of prime note."[1] But while he was explaining to them the pretended danger which hung over him, the necessity of providing means of self-defence, and what assurance he had that the citizens would take his part, there arrived from the Court (for his refusal the day before to answer the summons of the Council had effectually awakened their suspicions) his old friend the Lord Keeper, with three other of the lords (all belonging to what was considered as his own party), sent by the Queen to demand the cause of the assembly, to promise that if he had any complaint to make it should be heard, and to command them to disperse. Had the hearing of his complaint been offered only on condition of his going in person to deliver it, there might have been some colour for refusing. But they only asked him to communicate it *to them*,—to communicate it privately, if he did not like to declare it openly; promising that they would make a faithful report of it to the Queen. What was to be done now? He knew well enough that he had no complaint to make that would bear the examining, nor any demand to prefer which would even bear the stating; the only thing he wanted being that which, then more than ever, it would have been ridiculous to ask for, except as a condition imposed by a conqueror. However fair the offer therefore, it was clear that it could

[1] Camden.

not be accepted. Yet to send the Lords back with a simple refusal would have been almost as great a contumacy as to detain them. To let them go would only be to give alarm the sooner; and if he kept them there they might be of use afterwards in making terms. So he decided to lock them up in his library; and leaving them there under guard, set off himself on the instant accompanied with some two hundred gentlemen to try his fortune in the City.

The plan of action, as settled the night before, was to go on horseback, to arrive at Paul's Cross before the end of the sermon, to explain the pretended case to the Aldermen and people whom they should find assembled there, and call on them for help: if they found them ready to join, then to proceed with the action; if not, to fly to some place of safety. But the visit of the Councillors, by precipitating the movement, spoiled the execution. The horses were not ready,[1] and Essex wanted either the patience or the courage to wait for them. The party went on foot. And now everything depended upon his success in exciting the people and inducing them to take his part. He was a good speaker, and always sure of favourable listeners: and it was one of those cases in which rhetoric can sometimes do the work of an army. A Mark Antony might at that hour have set mischief on horseback. But Essex had not prepared his speech; and being no actor, and having nothing to say that could possibly come spontaneously, he made no attempt to address the people,—only cried out as he passed along that his life was in danger, —his enemies were going to murder him. Now though his followers were armed only with their swords, yet at mid-day, in the heart of a populous city, all friends, and no enemy in sight, a man with two hundred swords at his back could not be in any immediate danger of being murdered. If that was all, there was time to hear more; and the people in the streets only followed, wondering what might be the matter. Thus he passed all through Cheapside and Gracechurch Street, till he came to the house of Sheriff Smith, who commanded the trained bands, and in whom he thought he had an interest. But the Sheriff, though a friend, was not an accomplice; and having heard his story, withdrew to consult the Lord Mayor. To hesitate in such a case was to refuse; for time could only make the absurdity of the pretext and the hopelessness of the enterprise more apparent. Finding therefore that the pretence of danger to himself from private enemies (who, for the present at least, could not possibly hurt him) brought no armed men to his side, he now bethought himself of his other fiction,—the pretence of danger to the people from the public enemy; and cried out that "the crown of England was offered to be

[1] Sir F. Gorge's Vindication. Cott. MSS., Jul. E. vi. 343.

sold to the Infanta." How, where, or by whom, he does not seem to have attempted to explain; still less what kind of action he wanted their help in, with a view to prevent the sale. Nor indeed was there leisure now for explanations. For by this time he had been formally proclaimed traitor through the City, and troops had been collected to oppose him. And seeing that not a single new man had joined his party, while those who came with him were beginning gradually to steal away, it was evident that all chance of success was gone.

His best course now (escape into the country being impracticable for want of horses) would probably have been to remain where he was, with as many men as he could keep about him, and send some one to negotiate terms of surrender, before the Government were fully aware of the helplessness of his position. This was the advice of Sir Ferdinando Gorge; who went to Essex House with his authority, released the imprisoned lords, accompanied them to the Court, and tried to make it appear that the Earl's power was still formidable, and that they had better offer him fair terms while they could. But while he was thus engaged, the Earl himself, upon what motive must be left to conjecture (for the authorities of the City had not attempted to lay hands on him), resolved to return to Essex House. Perhaps he thought that, if he could maintain himself there for a few hours, the citizens would take courage and come to the rescue. Perhaps (which I think more likely) he remembered that he had left in Essex House a casket of papers, which if they fell into the hands of the Government would be fatal to his hopes, by betraying the real objects of the conspiracy and the falsehood of the published pretence. But it is vain to seek for rational motives in an action which from first to last was conducted in defiance of reason. Certain it is that he did make an attempt to force his way back towards Essex House through Ludgate Hill, that being repulsed by the troops collected there he went round by the river, entered with some fifty followers by the watergate, burned certain papers, saying that "they should tell no tales," and prepared to defend himself. But whatever danger he may have escaped by destroying those papers, it was at the cost of placing himself at the mercy of the Government, who now knew that he could not escape, and that he must within a few hours surrender at discretion. The news was brought to the Council while Gorge was negotiating, and of course settled the question. Essex House was invested on all sides by an overpowering force, and about ten o'clock at night they all surrendered, and were conveyed to prison.

6.

So little had the Government been prepared for such an outbreak

as this, that as late as eleven o'clock that morning no unusual provision had been made for defence: since which hour they had had work enough on their hands in dealing with the immediate danger. They had now a breathing-while to consider what it was, what it meant, and what remained behind. That upwards of a hundred noblemen and gentlemen of birth and quality had been gathered together in London, ready at an hour's notice to join in open insurrection, and that they had had some understanding with the authorities of the City which encouraged them to expect, though they had not found, armed aid there; this they now knew; but as yet it was all they knew. What the conspirators were aiming at, on what their hopes rested, what was their present bond of alliance, what other allies they had in reserve,—all this was a mystery. Not one of them (so far as the Government was aware) had anything to fear; or anything to complain of, worse than want of Court-sunshine. No popular grievance was in agitation: no popular favourite in prison. Yet some principle of combination there must have been. The project of an armed insurrection against a government so firmly planted, had it been but the sudden thought of Saturday night, could not have been known, taken up, and put in act on Sunday morning, by so many persons of so many qualities coming from so many places, unless they were prepared by some previous arrangement or excited by some panic alarm. Yet what had occurred to create such alarm? Nothing more than a civil message, unaccompanied with force or threat of force, requiring Essex to appear before the Council! What danger could there be in that, worth avoiding by so desperate a plunge?

Those who have followed my narrative can already answer this question. A summons to the Council implied suspicion; suspicion implied danger of discovery; and discovery would be as ruinous as defeat. Conscious of secrets the disclosure of which would itself be fatal to them, the leaders of the conspiracy were ready to take alarm upon the first symptom of alarm taken by the Government, and resort to sudden flight or sudden resistance as the less hazardous alternative. But this, though known to us, was not known to the Council. To them on Monday morning, the 9th of February, this only was apparent;—that there was some great undiscovered treason on foot somewhere,—all the more to be dreaded because there was nothing to show where or of what nature. The first thing to be done, after securing the prisoners and providing against riots and rescues, was to take possession of their houses and papers, to inquire after strangers and strange doings, to set a watch upon the ports, and to instruct all persons in authority to be at their posts and on

their guard. These precautions being taken against its further spreading, the next thing was to hunt the treason to its source: and now Bacon (whom we left busy with his private concerns) reappears upon the public stage, though the part he has to play is not for the present a conspicuous one.

Since Michaelmas, if he had any communication with Essex (of which I find no traces), it cannot have been of a confidential kind. Essex could not deal honestly with him, and being full of his own work, probably had no dealings with him at all. With the Queen he had had one conversation, which was in the beginning of January. Finding that her growing dissatisfaction with Essex made her look with suspicion upon one who had been so earnest and assiduous an intercessor for him, he requested an interview; from which, though he succeeded in reassuring her with regard to himself, he came away with a determination to meddle no more in a business in which it was plain that he could do no good, and endeavour to put his own personal concerns upon a better and sounder footing.

While he was engaged, as we have seen, in making arrangements for the payment of his debts, the unexpected outbreak on the 8th of February summoned all well-disposed subjects to their posts; and his post was among the Counsel Learned. As one of that small body of practised and confidential servants whose duty it was to fight the Queen's battles in the courts of justice, and serve her as a kind of legal body-guard, he along with the rest, on the 11th of February, while the whole affair was still an inexplicable and alarming mystery, received a commission from the Council to assist in unravelling it.[1] The quantity of work before them was so great, and the occasion so urgent, that they arranged to divide their labour as much as possible, working in separate parties of not more than three together:[2] and they set to work accordingly, taking the several prisons in suc-

[1] Additional MSS. 12497, p. 287. "Because it is thought fit there should present order be taken to examine them, for the perfect discovery of this wicked conspiracy, these shall be both to require and authorize you to take the examinations of all those who shall be committed to any of the prisons either in London, Southwark, or Westminster, that were actors or privy to this treason, and to be informed as well by examination of them as by any other means, how far every one of them is to be charged, by whom he was drawn into this action, and what more confederates he doth know yet undiscovered. For your better proceeding herein you shall do well first to have a meeting among yourselves, and to confer upon some general interrogatories (which you shall receive herewithal) to be ministered to them all," etc.

For the general interrogatories, see the same volume, p. 285. They prove conclusively that at that time the Council were quite in the dark as to the previous consultations, and that the object of these examinations was not to make out a case, but to find out what the case was; being as it then stood utterly unintelligible.

[2] Ibid. p. 289. Bacon was associated with Mr. Wilbraham and Sir Jerome Bowes.

cession. For seven days the investigation went on without any satisfactory result; but at last the real secret was discovered. It seems that the Council had reserved to themselves the examination of the leaders of the insurrection, leaving Coke, Bacon, and the rest to pursue the inquiry in other quarters. From one of these they succeeded (but not before the 18th of February) in extracting the secret (known only to seven or eight persons) of the preparatory consultations at Drury House. The others who were reported to have taken part in those consultations being thereupon re-examined, and finding by the questions that the truth had come out, were unwilling to make their case worse by persisting in the falsehood, and confessed the whole with little or no reserve. Their several confessions, agreeing as they did in all the main points, supplied unquestionable proof of deliberate and premeditated treason; and from that moment the whole affair was intelligible.

Delay in such a case was not without its dangers. Already one daring attempt to compel the liberation of the two Earls by putting the Queen in fear of her life had been discovered and prevented; and the examination of the prisoner had suggested the possibility of other dangers of a more formidable kind in the background; for it appeared that hopes were in the wind of a combination in their favour between Montjoy and the rebel-chiefs in Ireland.[1] The best security against such movements, the strength of which lay in the popular misapprehension of the truth, was to bring the case to public trial as soon as possible. The new information had been immediately communicated to Coke and Bacon, with instructions to spend no more time upon the less conclusive parts of the evidence but to proceed at once upon this:[2] and it was determined to arraign the Earls of Essex and Southampton the next day. What their defence would be no one could foretell. They had not been themselves examined, nor were they aware of the confessions which had been made by their confederates. It was necessary therefore that the counsel for the prosecution should be prepared to meet them at all points; and though Coke was the leader and manager, Bacon was of course to be in his place, ready to help if his help were wanted. The sequel will show that for the true and legitimate ends of justice the part he had to take was not unimportant. But in order to exhibit the proper effect and significance of it, I shall have to enter at some length into the history of the trial.

[1] Confession of Thomas Lee, 14th February. S. P. O.
[2] Egerton, Cecil, and Waad to Coke and Bacon, 18th February. S. P. O.

CHAPTER IX.

A.D. 1600-1.—FEBRUARY. ÆTAT. 40.

1.

ESSEX had had time enough to consider what story he should tell. He was prepared to hear several acts proved against him which in strict construction of law amounted to treason. When commanded in the Queen's name by the highest officers in the land to lay down his arms and disperse his company, he had made no attempt to do so; but had on the contrary arrested and confined the messengers. He had called on the citizens to arm and join him, after being formally proclaimed traitor, and summoned to surrender by a herald. He had charged the Queen's forces on Ludgate Hill, not being himself attacked. He had defended his house against the Queen's lieutenant. And in the course of these acts of resistance to lawful authority, he had caused the death of some of the Queen's subjects. All this was notorious and could not be disputed. Still, if all was done in self-defence; if he really believed that his life was in danger, and that this was the only way to save it; if he durst not go to the Council for fear of being shot on the road; durst not lay down his arms or dismiss his company for fear of being attacked in his house by armed assassins; went into the City for help because he feared that the three hundred friends who were gathered about him were not enough to defend him against such a force as he was threatened with; and finally, not finding the help he sought, attempted to force his way to the palace and the Queen's presence only as a place of refuge from the supposed danger; there can be no doubt that these acts, however the law might construe them, had not either the moral or the political character of treason: morally, they did not imply the intent; politically, they did not entail the danger. Such an excuse, if it could have been made good, might have raised the question whether the Earl were fit to go at large, but would have acquitted him of treason and rebellion. It had the advantage of being the story which he had already told,—the motive which he had publicly alleged for all that he did on Sunday; and the acts of that day taken by themselves were

so hard to reconcile with reason upon any motive, that if what he did on Sunday was *all* he had to explain, it might perhaps be thought not absolutely incredible. The fatal fact which it left utterly unexplained—the fact that an attack upon the Court had been under consideration for months, and planned in detail for weeks, before any apprehension of personal danger had been so much as rumoured, or any fear shown of going abroad without an armed escort,—this fact being known only to seven or eight persons, every one of whom was by the nature of the case bound on peril of his life to keep it secret, he trusted was in no danger of discovery. He came prepared therefore to take up this position for his defence.

2.

The opening of the case by the Queen's serjeant contained nothing to alarm him. Though the action was compared to that of Catiline, the acts recited were only those which everybody knew of. To the prayer for the Queen's safety with which the speech concluded he cheerfully said Amen, and strengthened it with an imprecation of his own upon the souls of all such as wished otherwise.

Nor was he less prepared for the law-logic of Coke; who, "suddenly rising," undertook to prove that the intention of the act was nothing less than "to take away the prince from the people." By the law, he who usurps the prince's authority is supposed to purpose the destruction of the prince; and he who assembles power and continues in arms against the prince's commandment—he who levies forces to take a town or fort, and hold it against the prince—usurps the prince's authority. All this Essex had of course expected. And when the orator went on to describe the particular mode of usurpation which he had attempted—how he had intended to take "not a town, but a city; not a city alone, but London the chief city; not only London, but the Tower of London; not only the Tower of London, but the royal palace and person of the prince, and to take away her life,"—though he was treading near dangerous ground, it might be hoped that he was merely constructing a rhetorical climax; that he knew only of the attempt to obtain help in the City, and that the ascending steps and crowning conclusion of the charge grew out of it by the ordinary rules of oratory, without better evidence. "Wondering and passionate gestures" from the Earl, as clause rose over clause, breaking forth at the culmination into a vehement protestation that "he never wished harm to his Sovereign more than to his own soul," intimated to the audience how extravagant the imputation was. A hint concerning "a little black bag, wherein was contained the whole plot," touched

nearer: but the contents of that bag had been destroyed, and could only be known by guess or by report: any evidence founded upon that might therefore be contradicted and outfaced. But when Coke came at last to explain in detail what the plan was—how the Earl "had plotted to surprise the Court, and had disposed of the several places thereof to be guarded by special persons about him; how the gate had been committed to Sir Christopher Blount, the hall to Sir John Davies, the presence to Sir Charles Davers; while himself was to take possession of her Majesty's sacred person," and then proceed, among other things, to call a Parliament: it became evident that he had by some means or other got at the fatal truth. The statement was too circumstantial and too exactly true for a guess. And when he wound all up by promising to prove all this as clear as the sun by the evidence he had to show—"being for the most part examinations of such as were of the confederacy, all severed in prison, but agreeing in the chief points of their confessions"—it was clear that if the promise could be made good, the proposed defence would not meet the charge.

Not well knowing what to say, yet too uneasy to remain silent any longer, the Earl begged here to be allowed his turn to speak. Their memories, he said, were not strong enough to retain so many matters: he desired of their Lordships that they might have leave to answer, first to the accusations in general, and then to the particular evidences as they should be delivered: a request which, though very properly objected to by Coke, whose objection the Lord High Steward supported, was upon the advice of the Lord Chief Justice granted: after which during the whole course of the trial both the prisoners spoke whenever and whatever they pleased: with such results as we shall see.

Why Essex should have desired to speak at this juncture to the accusations in general, it is difficult to understand. For not yet knowing what he had to answer, he could not yet answer to the purpose; and what he had to say by way of appeal to the feelings of the audience would have had a better effect in immediate connexion with his reply. But a request to be fairly heard, with a brave protestation of indifference to the issue, except in so far as it concerned the fortunes of his friends and his own reputation for "fidelity and true allegiance towards her Majesty" (which was all he had to interpose at present), gave him for awhile the sympathy of an audience that way disposed. And then the business began.

3.

Before I proceed to give an account of what followed, I may as

well state that I have taken for my authority a manuscript report of the trial in the possession of John Tollemache, Esq., of Helmingham Hall, in Suffolk, who kindly permitted me to take a copy of it for use in this work. The original possessor appears to have been Lionel Tollemache, of Bently, whose name is written on the titlepage; and I am informed that it has always been in the possession of the family. The Tollemaches were connected with the Earl of Essex, and it is to him that the reporter (though nowhere wanting in fairness and intelligence) has evidently paid especial attention: his speeches being set forth at greater length than the rest, and his behaviour throughout the trial particularly described; a peculiarity which (as the case for the defence is to be found only in the Earl's own speeches at the trial, of which we have no authorized report, whereas the case on behalf of the Queen is fully known to us through an official statement published by her own authority) gives this manuscript the greater value. As the production moreover of one who set down only what he heard and saw, I take it to be a better authority for the actual *order* of the proceedings than the report given in the State Trials; whether in its original shape, or as reproduced by Mr. Jardine with additions and variations in the "Library of Entertaining Knowledge." For in both those versions there is evidence of patchwork; documents not contained in the original manuscript having been supplied from elsewhere, and their places assigned according to the compiler's conjecture, without other evidence; whence arise some important differences, not only in the substance and geueral effect of many speeches, but in the very order and connexion in which the most important parts of the evidence were brought forward: an order which it is necessary in some cases to know before we can understand the true import of the defence. On questions of this kind I take this Tollemache MS. to be the more trustworthy guide, and where my story differs from the received story, which it will be found to do in some not unimportant particulars, it is to be understood that this manuscript is my authority.

4.

The order in which the evidence was brought forward seemed at first to promise favourably for the defence. The action having been in fact an enforced and unpremeditated *deviation* from the original design, without reference to which its true character could not be made intelligible, the most natural way of introducing the subject would have been to begin with the proof of what had been intended and then to show what was actually done. But Coke began at the other end:

opening the case with the proceedings at Essex House on the arrival of the Councillors, and selecting moreover for his opening evidence the very worst witness probably on his list. Mr. Widdrington of the North was one of the Earl's own party and had followed him into the City. He stated in his examination, among other things, that being alarmed at the violence of the language which he heard used with respect to the Councillors, he had warned the Earl of it, who went away from him without giving any answer; after which "going down amongst the company, he perceived amongst them that order was given that if any violence was offered to the house, or that the Earl of Essex miscarried in London, that then the Lord Keeper and the Lord Chief Justice should be presently killed."[1]

That he was the only witness who could speak to this last point, while it explains the value which Coke attached to this deposition, supplied Essex with a great advantage in answering it. The charge rested upon the evidence of a man personally implicated, who was telling a story favourable to himself, speaking of things of which there must have been many other witnesses, yet not corroborated by any other, and who moreover was not himself at hand to vouch his words or answer questions. Essex excepted to it on these grounds, and his exception seems to have been allowed; for nothing more was heard of this deposition or this charge; and a better and fitter witness was immediately brought forward.

This was the Lord Chief Justice; whose story, very simply and quietly told, and confined to what he had himself seen or heard and what the rest could testify, fully proved the Earl's refusal to disperse his company or to explain his grievance, being required to do so by the Lord Keeper, and the forcible detention of their persons by his authority while he himself went into the City. But all this lay within the lines of the Earl's proposed defence; who without disputing any of the facts hastened to explain them and show that they implied no disloyalty. It was true that he had detained the Councillors: but it was only for their own security. "Having had divers advertisements both the night before and that present morning of preparations by his enemies to assault him in his own house," he feared that in the tumults which were likely to ensue they might perish. It was true that he had not dissolved his company at their bidding: but it was because he could not have done it: for just at that moment "the people abroad in the street with a great and sudden outcry said they should all be slain," at which time they thought their enemies had

[1] I quote here from the written examination in the State Paper Office. The Tollemache MS. represents him as saying that "order was left *by the Earl* that they should be killed if he should miscarry in London."

beset the house. It was true that they went to the City for protection, not to the Council: but it was for a like reason—"they feared they should be intercepted by their enemies to their uttermost danger." Of his refusal to communicate his case privately to the Lord Keeper, which could not have been explained by the same motive, he does not appear to have offered any explanation. But the ground of defence implied in all these answers was distinct and explicit: Everything had been done under the belief that he was in immediate danger, not of false accusation, not of detraction, not of Court-malice, but of an attack by armed men. And since the clearest proof that he had no reason for believing such a thing was no proof that he did not in fact believe it, it is possible that he might have made a plausible stand upon that ground, had the case against him ended there. But what if it could be shown that he had himself been making preparations for an armed attack upon the Court some weeks before? Such preparations could have no relation to any such alarm as that to which he imputed his actions on Sunday. Leaving the excuse therefore (for which he does not seem to have been prepared) unanswered at the moment, Coke proceeded at once to produce evidence of the preliminary consultations.

5.

First came the examination of Sir Ferdinando Gorge; in which was revealed, among other things, "the consultation at Drury House, where was moved the taking of the City, the Tower, and the Court;" and where, upon a debate "how all or some of them might be surprised," Sir John Davis had "undertaken to frame a plot to take the Court; designing Sir Christopher Blunt to make good the gate; Sir John Davis the hall; Sir Charles Davers to possess the great chamber and to take hold of the guards' halberts and to keep the company of the presence from issuing forth: the Lords themselves to pass immediately to her Majesty. But" (it was added) "upon these motions nothing was resolved, but referred to the Earl of Essex his own ordering."

These disclosures (the substance of which I quote from the contemporary report in preference to the written examination, because I do not otherwise know how much of the written examination was read at this stage in the proceedings) compelled Essex to take up on the sudden a new position. It was plain that such a consultation could not have been forced upon him by fear of being beset in his house or waylaid at his door. What account should he give of it? His first impulse was to demand that Sir Ferdinando should be sent

for, as implying that he would not confirm that evidence face to face, and hoping perhaps that they would not venture to produce him. But when he saw that no objection was made and Sir Ferdinando was at once sent for, he began to prepare for the encounter by a partial admission of the fact. It was true that something of the kind had been talked of: but it had never been resolved upon; and if it had, what was it? only a plan for procuring a personal interview with the Queen, "that he might utter his plaints; which he knew were so just that her Majesty upon those allegations which he should urge against his adversaries (the Lord Cobham, Mr. Secretary, and Sir Walter Ralegh) would graciously hear him" and consent to remove them from about her. For it was not his private injuries only that he had to allege against them, but likewise "many foreign practices and broils in neighbour states" of which they were the root. And how desirable it was that such men should be removed from the Queen's ear, he referred to their Lordships' own consideration. "If I spake a wonder," he proceeded, "when I mentioned these mine enemies should be removed, I should need to strengthen my assertions with good reasons. But if many of your Lordships here present have heretofore conceived enough of it, I need not further at this present time give reasons for it. But (he added) when I and my company had procured access to her Majesty, we meant to have submitted ourselves to the Queen with paper, and not to have justified our act with sword."

Had Essex been a man to be suspected of subtle tactics, one might have given him credit here for a daring and skilful stratagem. One might have thought that, seeing the completeness of the evidence with which he was threatened, and feeling that his best chance was to throw it into confusion by drawing the Court into hot and personal discussions away from the point at issue, he had promptly resolved to throw down this audacious challenge, although he was throwing away along with it the only fair plea for which his own admission now left room. If the attack upon the Court had been merely talked of and never taken shape as a formed intention, he might have asked pardon for the thought on the ground that he had himself disowned and condemned it. Whereas in thus justifying it before the Court and confidently claiming their sympathy and sanction, whatever criminality there was in the *meditation* of an enterprise, which if put in act no man could doubt to be treason, that criminality he accepted for himself. The truth probably is that he spoke on the impulse of the moment, out of the abundance of his dislike, without thinking either of nearer or remoter consequences. But whatever may have been the intention, the effect followed. For before Sir Ferdinando arrived,

though he was no further off than the Gatehouse, the Attorney-General and the prisoner were already disputing about matters which had no reference to the case—about the alleged subornation of a witness to accuse the Earl of a conspiracy with the King of Scots concerning the succession, and about a forgery of his handwriting by a scrivener which had been used to extort money;—and Lord Cobham had been provoked to rise in his place and demand an explanation of the charges just thrown out against himself.

The arrival of Sir Ferdinando put a stop for the moment to these unseasonable digressions, and brought them back to the business of the day. But it did not otherwise alter the case. Face to face he simply reaffirmed what he had stated in his examination, declaring that it was all he knew. Nor was anything new elicited by the cross-examination, except a virtual admission by the Earl of Southampton that such conferences had been held; and a declaration by Sir Ferdinando that at the conference which he had attended the subject was spoken of as a thing which had been for three months in consultation.

6.

Sir Ferdinando being withdrawn, it might have been expected that the curiosity of the Court would concur with the policy of the prosecution in calling for the evidence (already announced as forthcoming) of the other confederates who had witnessed what passed at the Drury House consultations: those consultations being in the highest degree material, being of a nature not to be established by the testimony of a single witness, and having for all but a few of the Councillors the interest of perfect novelty. But it seems that the cheerful confidence with which the Earl had taken his stand upon the plea of personal danger (which was a story equally new) had made its impression on the Court. And that allegation having been neither justified nor refuted, they wished before proceeding further to hear what reason he had for apprehending any such danger: "for," said the Lord High Steward, "you speak things without probability."

This led to another digression, which brought Sir Walter Ralegh on the stage. For when the vague assertions with which the Earl tried to satisfy them—that he knew of these preparations "many ways,"—that he had received "intelligence upon intelligence," and the like,—could not be accepted for proof, and some particular evidence was insisted upon, he at last fell upon this:—that Sir Walter Ralegh having desired to speak with Sir Ferdinando Gorge, they had met by appointment on the river that Sunday morning: and that Sir Walter

had "wished him to come from them, or else he were a lost man and as a person entering a sinking ship: of which words" (added the Earl), "when we heard them, what other construction could we make, but that there was some imminent mischief intended towards us?" So weak a shift might very well have been left to itself, and accepted only as an admission that the alarm was a fiction and an after-thought. But Ralegh desired to explain; and being sworn (and sworn, for the Earl's better satisfaction, on the largest copy of the Testament[1]) proceeded "with a settled countenance" to relate what had passed. Being a friend of Sir Ferdinando's, he had advised him to return to the country, where he had a charge—[he was Governor of Plymouth]—and whither the Queen would have him go. Sir Ferdinando thanked him, but answered, these were no times of going; for the Earl of Essex stood upon his guard: whereat Ralegh wondered, not having heard of it before, and answered, "If you return, then you are a lost man." Upon this Essex only observed that "it was told them otherwise."

7.

This then being all that the Earl had to allege in justification of the apprehension under which he professed to have been acting, that question might now be considered as disposed of; and it was time to proceed with the evidence as to his real design. But the Attorney-General himself seems by this time to have lost the thread of his own argument; and instead of producing the other examinations, wandered away into questions concerning the speeches the Earl had used in the City, the slight regard he had paid to the herald, the religious belief of his associates, and other extrancous or collateral matter of that kind: all which opened to Essex a large field for vague protestations of his own loyalty and sincerity, and vague complaints of the courses taken by the Government—courses which (he assured the Court) "had made an honourable, grave, and wise Councillor oftentimes wish himself dead:" wherein an incidental allusion to an assault which had been made upon the Earl of Southampton called forth Lord Grey to defend himself, and led to a lively passage of sharp words between those two. Which interruption being over, Coke took up the word again: and still forgetting that he had left the main point only half proved, called on the Earl to justify his announcement to the people in the City that the state was sold to the

[1] "And here Sir W. Ralegh desired on his knees to satisfy for that point; and having leave was ready to swear, when vehemently the Lord of Essex cried out, 'Look what book it is he swears on!' And the book being in decimo-sexto, or the least volume, was looked in and changed to a book in folio of the largest size."

Spaniards by Mr. Secretary: a demand which led the way to the longest, the liveliest, the most exciting, and also I must add the most irrelevant digression that had yet been thrown in the way of the rational investigation of the question on which the Court was assembled to decide. Essex declared that he had had advertisement of this practice "many ways;" but the one fact which he offered by way of evidence was this:—himself and Southampton "had both been informed how Secretary Cecil had maintained to one of his fellow-Councillors the title of the Infanta to be the best after her Majesty's death —and in a manner before." For any bearing which this had upon the case under trial, it might very well have been answered—What if he did? But Cecil could hardly be expected to rest quietly under an imputation which, however impertinent to the case, might if allowed to pass uncontradicted be very injurious to himself. "Coming forth from the behind the hanging where he had stood, he fell on his knees and humbly besought the Lord High Steward that he might be suffered to break course and clear himself of this slander." Whereupon followed a long and lively interlude, extremely interesting no doubt to the audience, and narrated very well and fully by our reporter, but of which I must content myself with stating the conclusion: which was, that the name of their informant being demanded, and Sir William Knollys being at last after much hesitation and many protests named as the authority, and thereupon at Cecil's earnest request sent for and questioned, it turned out that Cecil had indeed once *mentioned to him*, and offered to show him, a book wherein that title was preferred before any other. And this was all the foundation for that story, on the strength of which the citizens of London had been exhorted to take up arms against the Government in defence of the kingdom.

8.

By this time the argument had drifted so far away from the point that it must have been difficult for a listener to remember what it was that the prisoners were charged with, or how much of the charge had been proved. And Coke, who was all this time the sole speaker on behalf of the Crown, was still following each fresh topic that rose before him, without the sign of an intention or the intimation of a wish to return to the main question and reform the broken ranks of his evidence. Luckily he seems to have been now at a loss what point to take next, and the pause gave Bacon an opportunity of rising. It can hardly have been in pursuance of previous arrangements; for though it was customary in those days to distribute the evidence into

parts and to assign several parts to several Counsel, there had been no appearance as yet of any part being concluded. It is probable that the course of the trial had upset previous arrangements and confused the parts. At any rate so it was, however it came to pass, that when Cecil and Essex had at last finished their expostulation and parted with charitable prayers each that the other might be forgiven, "Then (says our reporter) Mr. Bacon entered into a speech much after this fashion."

In speaking of this late and horrible rebellion which hath been in the eyes and ears of all men, I shall save myself much labour in opening and enforcing the points thereof, insomuch as I speak not before a country jury of ignorant men, but before a most honourable assembly of the greatest Peers of the land, whose wisdoms conceive far more than my tongue can utter; yet with your gracious and honourable favours I will presume, if not for information of your Honours, yet for the discharge of my duty, to say thus much. No man can be ignorant that knows matters of former ages, and all history makes it plain, that there was never any traitor heard of that durst directly attempt the seat of his liege prince, but he always coloured his practices with some plausible pretence. For God hath imprinted such a majesty in the face of a prince that no private man dare approach the person of his sovereign with a traitorous intent. And therefore they run another side course, *oblique et à latere:* some to reform corruptions of the state and religion; some to reduce the ancient liberties and customs pretended to be lost and worn out; some to remove those persons that being in high places make themselves subject to envy; but all of them aim at the overthrow of the state and destruction of the present rulers. And this likewise is the use of those that work mischief of another quality; as Cain, that first murderer, took up an excuse for his fact, shaming to outface it with impudency. Thus the Earl made his colour the severing some great men and councillors from her Majesty's favour, and the fear he stood in of his pretended enemies lest they should murder him in his house. Therefore he saith he was compelled to fly into the City for succour and assistance; not much unlike Pisistratus, of whom it was so anciently written how he gashed and wounded himself and in that sort ran crying into Athens that his life was sought and like to have been taken away; thinking to have moved the people to have pitied him and

taken his part, by such counterfeited harm and danger: whereas his aim and drift was to take the government of the city into his hands, and alter the form thereof. With like pretences of dangers and assaults the Earl of Essex entered the City of London and passed through the bowels thereof, blanching rumours that he should have been murdered and that the state was sold; whereas he had no such enemies, no such dangers: persuading themselves that if they could prevail, all would have done well. But now *magna scelera terminantur in hæresin:* for you, my Lord, should know that though princes give their subjects cause of discontent, though they take away the honours they have heaped upon them, though they bring them to a lower estate than they raised them from, yet ought they not to be so forgetful of their allegiance that they should enter into any undutiful act; much less upon rebellion, as you, my Lord, have done. All whatsoever you have or can say in answer hereof are but shadows. And therefore methinks it were best for you to confess, not to justify.

9.

The Earl's attempts to draw the Court away from the point by interposing personal charges and exciting personal altercations had succeeded so well hitherto, that when this speech of Bacon's threatened to bring them back to the real question and prepare them to hear the rest of the evidence, he tried again to effect a diversion in the same way. If the reader remembers the letters drawn up by Bacon a few months before, one as from his brother to the Earl, the other as from the Earl in answer (see above, p. 197), he remembers likewise the occasion and purpose of them; and can judge of the pertinency and propriety of the retort with which the Earl now replied upon him.

"To answer Mr. Bacon's speech at once," said he, "I say thus much; and call forth Mr. Bacon against Mr. Bacon. You are then to know that Mr. Francis Bacon hath written two letters, the one of which hath been artificially framed in my name, after he had framed that other in Mr. Anthony Bacon's name to provoke me. In the latter of these two, he lays down the grounds of my discontentment and the reasons I pretend against mine enemies, pleading as orderly for me as I could do myself. Much such matter it contains as my sister the Lady Rich her letter, upon which she was called before your Honours. If those reasons were then just and true, not counterfeit, how can it be that now my pretences are false and injurious? For

then Mr. Bacon joined with me in mine opinion, and pointed out those to be mine enemies and to hold me in disgrace with her Majesty, whom he seems now to clear of such mind towards me; and therefore I leave the truth of what I say and he opposeth unto your Lordships' indifferent considerations."

Another report represents him as proclaiming the fact that these letters were written for the purpose of being shown to the Queen. And certainly a stroke better aimed, if the object was to introduce another angry and irrelevant altercation,—worse, if to offer a serious answer to Bacon's argument,—could not well have been devised. But Bacon was not to be so seduced. He merely replied that "those letters, if they were there, would not blush to be seen for anything contained in them; and that he had spent more time in vain in studying how to make the Earl a good servant to the Queen and state, than he had done in anything else;" and then sitting down allowed the business to proceed; which was to produce the rest of the evidence, first as to the preparatory consultations at Drury House, and then as to the proceedings of Sunday. Whether this was now brought in upon Bacon's motion, the report does not enable me to say; but it is represented as immediately following his speech. So there was some prospect at last of seeing the charges in the indictment proved as well as disputed upon; and though the case was not destined to proceed in an orderly manner to the end, a considerable step was certainly made at this point.

10.

I need not recount the particulars of the evidence, which will all appear in their proper place in the authorized narrative. But as Bacon had occasion to interpose once more before the trial concluded, I must follow the course of it a little further.

The confessions of Davers, Davis, and Blunt, the three remaining witnesses who could speak to the consultations at Drury House, were now read, and fully confirmed the evidence already given by Gorge. Nor did any material interruption occur, until Essex began in attestation of his innocence to appeal to his nightly practices of devotion: upon which Coke charging him with "hypocrisy in religion" and "countenancing religious men of all sorts,"—a charge which even if true formed no part of the case,—gave him another occasion —the best he had yet had—of producing a diversion in his own favour. The imputation was not only irrelevant, but unjust. His religious belief, unlike his loyalty, was simple, earnest, and unaffected; too earnest (in a large and open understanding) to consist with the sec-

tarian prejudices which refused to believe in the sincerity either of Papists on one side or Puritans on the other. In creed, his personal sympathy was probably most with the Puritans; nor had he ever shown the least personal inclination towards Popery. But I doubt whether in all his writings a single sentence can be found implying an illiberal depreciation of any religious party. It was too serious a subject with him to be trifled or trafficked with. And if "in his usual talk he was wont to say that he liked not that any man should be troubled for his religion,"[1] it is not necessary now to observe that respect for the rights of conscience in other men does not imply any want of conscience in a man's self. The tone in which he replied to this charge, and solemnly affirmed the sincerity of his faith in the religion which he had all his life professed, contrasted strangely with the weakness and inconsistency of his answers upon the questions really at issue, and made a corresponding impression on the Court: insomuch that when Coke offered to reply and make good his accusation, they refused to hear him. And thereupon the case was once more resumed and the evidence allowed to go on.

11.

The depositions which were now read concerning the proceedings in the City on Sunday brought the case home to the Earl of Southampton, whom the evidence had hitherto touched only incidentally and indirectly; and brought out his answer to the charges in general; the substance of which was, that the object of the consultations at Drury House was merely to procure for Essex the means of speaking to the Queen; that the action which had been suggested with that view, whether treasonable or not, had never taken place—had not even been resolved upon; while the action which *had* taken place was, so far as he understood and was concerned in it, no treason, but an act of self-defence in a private quarrel. He declared that he never heard either the message of the Lord Keeper or the proclamation of the herald; and in spite of several interruptions from Coke, who tried to fasten upon him the responsibility for what had passed in Essex House, succeeded in telling a story plausible enough to make the Peers hesitate, and require the opinion of the Judges upon the point in law. His case was no doubt very different from that of his fellow-prisoner; for *he* might possibly have believed Essex's story about his personal danger, though it was not possible to suppose that Essex believed it himself. The point on which they desired to be satisfied was this:—"whether the rising to go to Court with such a company

[1] Sir Christopher Blount's examination, 18th Feb. S. P. O.

only to present my Lord of Essex his complaints, without all manner of purpose of violence to the person of her Majesty or any other—whether this were treason?" The Judges gave opinion that it was. And there the case might have been allowed to rest. For it is quite conceivable that the conspirators did in fact expect all difficulties to to vanish before them, and did not *intend* to hurt anybody, otherwise than in the legal construction, which supposes to be intended whatever a reasonable man might expect to follow. Coke however was not satisfied to stop there. They must in their consultations have counted on resistance—must have foreseen that in case of resistance there would be violence—must therefore have *intended* violence. "The Earl of Essex replied that the act was to be judged by the intent in conscience. 'Nay,' said Mr. Attorney, 'our law judgeth the intent by the overt act.' 'Well,' said the Earl, 'plead you law and we will plead conscience.'"

To conduct an argument clearly in dialogue, which appears to have been Coke's favourite form, is never easy unless the same person manages both parts; least of all before a popular audience; which in this case it was important to satisfy, as well as the law and the lawyers. Hence it was again becoming necessary to remind the Court how the case really stood,—what was the real accusation and what the defence; for more than half the charges and replies which they had been listening to all the day lay quite outside the case; and to perform this office Bacon, with or without the permission of his leader, now rose once more, and spoke to this effect.[1]

I have never yet seen in any case such favour shown to any prisoner; so many digressions, such delivering of evidence by fractions, and so silly a defence of such great and notorious treasons. May it please your Grace, you have seen how weakly he hath shadowed his purpose and how slenderly he hath answered the objections against him. But, my Lord, I doubt the variety of matters and the many digressions may minister occasion of forgetfulness, and may have severed the judgments of the Lords; and therefore I hold it necessary briefly to recite the Judges' opinions.

That being done, he proceeded to this effect.

Now put the case that the Earl of Essex's intent were, as he

[1] This speech is reported very imperfectly and incorrectly in the Tollemache MS. The version which I have given comes from a MS. in the Bodleian Library (Tanner MS. 76, fo. 77), except the first sentence, which I have supplied from Mr. Jardine's account of the trial.

This Tanner MS. is in other respects inferior to the Tollemache.

would have it believed, to go only as a suppliant to her Majesty. Shall their petitions be presented by armed petitioners? This must needs bring loss of liberty to the prince. Neither is it any point of law, as my Lord of Southampton would have it believed, that condemns them of treason.[1] To take secret counsel, to execute it, to run together in numbers armed with weapons,—what can be the excuse? Warned by the Lord Keeper, by a herald, and yet persist! Will any simple man take this to be less than treason?

The Earl of Essex answered that if he had purposed anything against others than those his private enemies, he would not have stirred with so slender a company. Whereunto Mr. Bacon answered:

It was not the company you carried with you, but the assistance which you hoped for in the City which you trusted unto. The Duke of Guise thrust himself into the streets of Paris on the day of the Barricados in his doublet and hose, attended only with eight gentlemen, and found that help in the city which (thanks be to God) you failed of here. And what followed? The King was forced to put himself into a pilgrim's weeds and in that disguise to steal away to scape their fury. Even such was my Lord's confidence too, and his pretence the same—an all-hail and a kiss to the City. But the end was treason, as hath been sufficiently proved. But when he had once delivered and engaged himself so far into that which the shallowness of his conceit could not accomplish as he expected, the Queen for her defence taking arms against him, he was glad to yield himself; and thinking to colour his practices turned his pretexts, and alleged the occasion thereof to proceed from a private quarrel.

"To this" (adds the reporter) "the Earl answered little." Nor was anything said afterwards by either of the prisoners, either in the thrust-and-parry dialogue with Coke that followed, or when they spoke at large to the question why judgment should not be pronounced, which at all altered the complexion of the case. They were both found guilty, and sentence was passed in the usual form.

12.

It would be rash perhaps to criticize the management of a trial like this upon the evidence of casual and unauthorized reports. There

[1] The MS. has, *that nothing condemns them of the treason.* Another report adds "but it is apparent in common sense:" rightly I should think.

was in those days no regular system of reporting; and though many detailed narratives of the proceedings were written and circulated, it is evident upon comparison that the best of them are far from perfect. Each writer had his own points of interest, his own periods of attention and inattention, of physical activity and exhaustion. Imperfect notes were probably completed afterwards from imperfect recollection; and the omission or misunderstanding of a few words at a critical juncture may give a false aspect to all that follows. From any and from all of them however, one fact may be surely inferred—that the case was very badly managed: most of the time having been occupied in the discussion of points immaterial or irrelevant, raised one after another in the most desultory and disorderly manner, and followed on both sides in apparent forgetfulness of the question really at issue. In part no doubt this was owing to the injudicious indulgence of the Court in allowing the prisoners not only to say what they liked, but to interrupt the evidence as often and to enter into personal altercations with whom they liked: an irregularity for which Coke was not responsible. But the error was much aggravated by an infirmity of his own. Interruptions by the prisoners would have been comparatively harmless, if the Counsel could have been content merely to wait till they had done speaking, and then to go on with their own story. But Coke could not resist the temptation of replying and disputing: and not being careful to confine his charges within the limits of his proofs, he allowed himself not only to be led away from the point which it was his business to prove and which he could prove, but to be drawn into discussions in which he did not seem always to have the best of it. The result of all which was that the true aspect of the case,—a case of treason as clearly proved, as completely without excuse, and as dangerous, as ever went into a court of justice,—was so weakly and confusedly presented to people's minds, that according to Camden "some called it a fear, others an error; they which censured it more hardly termed it an obstinate impatience and desire of revenge, and such as censured it most heavily called it an inconsiderate rashness; and to this day few there are who have thought it a capital crime."

The fact probably is, that those who thought so held their tongues; for why should any man have cared to make himself odious for the sake of correcting the popular judgment of a crime which had paid its penalty? To men of understanding however who were present, the case, with all its disadvantages in the setting forth, could wear but one aspect: and it may be worth while to add a summary account of the trial by a very intelligent and quite disengaged and dispassionate spectator, written a few days after.

"The 19th hereof" (writes John Chamberlain to Dudley Carleton, on the 24th of February, 1600-1) "the Earls of Essex and Southampton were arraigned at Westminster before the Lord Treasurer, Lord High Steward of England for that day, and twenty-five of their peers, whereof were nine Earls and sixteen Barons. The only matters objected were his practice to surprise the Court, his coming in arms into London to raise rebellion, and the defending his house against the Queen's forces. To the two latter he answered that he was drawn for the safety of his life: to the former that it was a matter only in consultation and not resolved upon; and if it had taken effect it was only to prostrate himself at her Majesty's feet and there manifest such matter against his enemies as should make them odious and remove them from about her person, and recall him to her former favour. This was the sum of his answer; but delivered with such bravery and so many words, that a man might easily perceive that as he had ever lived popularly, so his chief care was to leave a good opinion in the people's minds now at parting. But the worst of all was his many and loud protestations of his faith and loyalty to the Queen and state, which no doubt caught and carried away a great part of the hearers; but I cannot be so easily led to believe protestations (though never so deep) against manifest proof. . . .

"At his coming to the bar his countenance was somewhat unsettled; but after he was once in, I assure you I never saw any go through with such boldness, and show of resolution and contempt of death: but whether this courage were borrowed and put on for the time, or natural, it were hard to judge. But I hear he begins to relent, and among other faults to be sorry for his arrogant (or rather as Mr. Secretary well termed it to his face) his impudent behaviour at his arraignment; and which is more, to lay open the whole plot and to appeach divers not yet called in question. His execution was expected on Saturday, then yesterday, now to-morrow, or on Thursday. Most of the Council have been with him these three or four days together. The Earl of Southampton spake very well (but methought somewhat too much as well as the other), and as a man that would fain live, pleaded hard to acquit himself; but all in vain, for it could not be: whereupon he descended to entreaty and moved great commiseration, and though he were generally well liked, yet methought he was somewhat too low and submiss, and seemed too loath to die before a proud enemy."[1]

[1] S. P. O. The whole series of Chamberlain's letters during the reign of Elizabeth has recently been printed by the Camden Society; carefully and well edited by Miss Williams. I wish she would go on and edit the rest in the same style; for the copies contained in the 'Court and Times of James I.,' "edited by the author of the Memoirs of Sophia Dorothea, etc.," are so full of all kinds of blunders, that to me the book is of no use except for collation. I can correct the text in less time than I could make a fresh transcript; but I could not quote anything from it without previous reference either to the originals or to Dr. Birch's copies. See for a few instances out of, and instead of, many, Vol. I. p. 467, and Vol. II. pp. 11 and 18.

CHAPTER X.

A.D. 1601.—February to April. ÆTAT. 40.

1.

Those who make light of the crime of which Essex was found guilty make him guilty of one much worse. What Chamberlain had heard was true: he had begun not only to confess for himself but "to appeach divers not yet called in question." The precise import and spirit of his confessions indeed we shall never know: for only fragments of them were divulged at the time, and neither the original record nor any copy of it is now to be found. Enough however has transpired, to show that he not only admitted his own guilt fully and freely, but disclosed and proclaimed that of his associates; nor of those alone whose confessions had been fatal to himself, but of others likewise who had kept his secrets only too faithfully and would else have passed unsuspected.

Of the occasion of this change two different stories are told. Sir Robert Cecil seems to have taken it for an act of retaliation. "Before he went out of the hall," says he, writing to Winwood on the 7th of March, "when he saw himself condemned, and found that Sir John Davis, Sir Ferdinando Gorges, Sir Christopher Blount, and Sir Charles Davers, had confessed all the conferences that were held at Drury House by his direction for surprising the Queen and the Tower of London, he then broke out to divers gentlemen that attended him in the Hall, that his confederates who had now accused him had been principal inciters of him and not he of them, ever since August last, to work his access to the Queen with force. And when he was brought to the Tower again, he sent to the Lord Thomas Howard, then Constable of the Tower, to entreat him to move her Majesty to send unto him the Lord Keeper, Lord Treasurer, Lord Admiral, and me the Secretary by name, that he might now discharge his conscience," etc.: a story which is partly confirmed by the reporter of the trial; who represents him as saying, towards the close of the proceedings, "that before his death he would make something known that should be acceptable to her Majesty in point of state."

On the other hand, in a letter addressed to Anthony Bacon, three months after, by some man not known, the change is imputed entirely to the influence of one Ashton, a Puritan preacher who attended the Earl in the Tower by his own particular desire. The story told in this letter, which is very full and circumstantial, professes to be the same which Ashton himself told to "a worthy person" (not named) from whom, through how many mouths we are not informed, it came to the writer. And though an unsigned letter by a practised penman, especially when addressed to a man who was not alive at the time—(the letter is dated May 30, 1601, Anthony Bacon died before May 27[1])—is no very good evidence in such a case, yet I see nothing improbable on the face of the narrative as far as it goes. That the Earl did petition to have "his own preacher" to attend him in the Tower, we know upon other authority: it was one of his last requests after receiving sentence. And when it was answered "that it was not so convenient for him at that time to have his own chaplain as another," he replied that "if a man in sickness would not willingly commit his body to an unknown physician, he hoped it would not be thought but a reasonable request for him at that time to have a preacher which had been acquainted with his conscience, to whom he might more boldly open his heart." Now a preacher who had stood in that relation to him was well qualified to judge of the sincerity of his professions; and if he found him (as the letter states he did) "exceeding cheerful and prepared with great contentation for his end," might very well think that that was not a fit frame of mind for the occasion. Upon which the rest of the story follows naturally enough: namely that having frankly declared that he did not believe his tale, he succeeded at last, after long, severe, and solemn expostulation, in convincing him that it was his duty to make a full confession: which he accordingly agreed to do: and thereupon admitted that his real end was to get the succession settled by Act of Parliament upon the King of Scotland; "and named to him sundry worthy persons both of religion, honour, and state that had given their consents and were engaged with him therein." This according to the writer was all: and to this effect, at Ashton's instance, who threatened otherwise to reveal it himself, he made a formal confession.[2]

Now that this was the way in which the Earl was induced to *begin* his confessions, does not strike me as improbable. The story agrees to a certain extent with a declaration (from which indeed with the

[1] Chamberlain to Carleton. S. P. O.

[2] "A letter to Mr. A. Bacon concerning the Earl of Essex." 30th May, 1601. —Hearne's edition of Camden's Annales, iii. 960.

help of a little invention it might have been constructed) made by Cecil at one of the subsequent trials:[1] nor is it impossible that the disclosure which the Earl first made went no further than the writer of the letter says. But though his intrigue with Scotland formed no doubt a principal item in his revelations—and a very formidable one, seeing that if he told the worst he must have involved no less a person than Lord Montjoy in a charge of very high treason,—it is certain that they did not stop there. What passed between Essex and Ashton, the writer *may* have had means of knowing: but for what he said to the Lords of the Council when they attended him, we must seek our information from one of themselves.

"The next day after" (proceeds Cecil in his letter to Winwood) "being Saturday, when it pleased her Majesty to send us four unto him, he did with very great penitency confess how sorry he was for his obstinate denials at the bar; desiring he might have liberty to set down in writing his whole project of coming to the Court in that sort: which he hath done in four sheets of paper, all under his own hand; and even concurring with Sir Charles Davers, Sir John Davis, Sir Ferdinando Gorges, and Mr. Littleton's confessions. And acknowledged that he sent divers articles to Drury House to be considered of: as namely, whether it were not good at the same time of coming to the Court to possess the Tower, for to give reputation to the action, if the City should mislike it. Moreover that Sir Christopher Blount with a company of armed men should take the Court Gate; Sir John Davis should master the Hall; and go up into the Great Chamber, where there should be some persons who unsuspected one after another should aforehand be gotten into that room, and have seized upon the halberts of the guard, which commonly stand piled up against the wall; and Sir Charles Davers should have been in the Presence, where some other gentlemen should likewise have made good that place. Whereby my Lord of Essex with the Earls of Southampton, Rutland, and other noblemen should have gone in to the Queen, and then having her in their possession, to have used the shadow of her authority for the changing of the government; and then to have called a Parliament and have condemned all those whom they scandalized to have misgoverned the state. This is the substance of his confession, which he both verbally delivered to us, and afterwards set down in writing. He further asked forgiveness of the Lord Keeper and those whom he had imprisoned in his house; sorrowing in his heart that they were put in fear of their lives by his followers. Then he did most passionately desire in Christian charity forgiveness at the hands of those persons whom he had particularly called his enemies; protesting that when he had resolved of this rebellious act to come to the Court with force, he saw not what better pretext he could have than a particular quarrel to those whom he had at the bar named his greatest adversaries. And being urged still to say what he knew or could

[1] State Trials, i. 1442. Ed. 1816.

reveal, especially of that injurious imputation to me, he vowed and protested that in his own conscience he did freely acquit me of any such matter, and was ashamed to have spoken it, having no better ground. He protested also to bear no malice to the Lord Cobham and Sir Walter Ralegh whom he had named his enemies; and by whom he knew no other than that they were true servants to the Queen and the state. After that, he made an humble suit to the Queen, that he might have the favour to die privately in the Tower; which her Majesty granted, and for which he gave her most humble thanks."[1]

Had this been all, no reasonable objection could be taken either to the confession itself or to the means which had been used to induce it. He was merely telling the truth which he had denied, and relieving the Government from a false charge of injustice which he had himself endeavoured to fix upon them. The disclosure of the correspondence with Scotland was more questionable; because it involved the betrayal of others who had entered into it only for his sake and had themselves betrayed nothing. Still, when he came to see it himself in its true light, it may have seemed a thing which the Queen had a right to be warned of. But when we find him volunteering such confessions as these—that *Sir Henry Nevill* had been a party to the treason (whose only offence was that he had known of the consultations and not betrayed them):—that "no man showed himself more forward in the streets, nor readier to fight and defend the house after their return against the Queen's forces, nor more earnest that they should not have submitted themselves, than *the Lord Sandys*:[2]—that *Sheriff Smith* "had been as far engaged in the action as any of them," and being charged with not performing what he had promised, had excused himself saying that "in that confusion he could not draw his regiment together," and had "advised Essex to keep the streets:"[3]—when we find him accusing Henry Cuffe and Sir Christopher Blount of "having been his chief instigators to all those disloyal courses into which he had fallen:"[4]—with other things of the kind which, whether true or not, it was no business of his to proclaim,[5]—what shall we say? Those who think that

[1] Win. Mem. i. 301.

[2] "The effect of the Earl of Essex's speeches concerning the Lord Sandys, delivered before us whose names are underwritten." S. P. O.

[3] "The proofs against Sheriff Smith,"—a paper in Coke's hand. S. P. O.

[4] Camden.

[5] The Earl of Nottingham, writing to Lord Mon'joy on the 31st of May, 1601, gives the following account of Essex's first communication to the Councillors. "And thus he did begin to us. 'I do humbly thank her Majesty that it hath pleased her to send you unto me, and you are both most heartily welcome; and above all things I am most bound unto her Majesty that it hath pleased her to let me have this little man, Mr. Ashton, my minister, with me for my soul; for,' said he, 'this man in a few hours hath made me know my sins unto her Majesty and to my God; and I must confess to you that I am the greatest, the most vilest,

he had even the shadow of an excuse for rebelling cannot but think that in thus turning informer against his associates he sinned past all excuse. His best apology must be that he was the same man still. The same want of ballast which had swayed him so far from his duty on one side now carried him as far over on the other. In his passion of discontented ambition he could think of nothing but how to displace his rivals; in his passion of penitence and dismay he could think of nothing but how to expiate his guilt. The sudden collapse of his inflated confidence, the vision suddenly revealed of his crime in its true character and proportions, with death, judgment, and eternity in the immediate background, brought on a fit of religious terror, and blinded him to all other considerations. And so it was to the end. For his behaviour on the scaffold is distinguished from that of almost all other performers on that stage by being natural and unaffected. At that hour he had no thought to spare for relations, friends, or spectators; no consciousness of his own position as principal figure in a public spectacle: but bore himself simply like a man who felt that he had committed a great sin and believed that he was passing straight to judgment.

2.

Of the remaining prisoners only five were brought to trial: Blount, Davers, Davis, Merick, and Cuffe. They were tried on the 5th of March; the only Counsel employed being Coke, Fleming, and Bacon; and the only part assigned to Bacon being the charge against Davis.

Of his speech on this occasion the only report, and indeed the only notice I have met with, is in the State Trials, and runs thus:

Against Sir John Davis Mr. Francis Bacon urged the evidence, beginning with discourse upon the former ground of Mr. Attorney's, that every rebellion implied destruction of the Prince, and that in the precedents of Edward II. and Henry IV. the pre-

and most unthankful traitor that ever has been in the land: and therefore, if it shall please you, I shall deliver now the truth thereof. Yesterday, at the bar, like a most sinful wretch, with countenance and words I imagined all falsehood.' Then he began to lay open the practices for the surprising of her Majesty and the Court; who were at the councils at Drury House, the Earl of Southampton's lodging; that there were these appointed by the Earl to consider how it should be put in execution, the Earl of Southampton, Sir Charles Davers, Sir F. Gorges, Sir John Davis, Sir [Henry] Nevill, and Cuffe. Sir Christopher Blount he ever kept with him. He spared none of these to let us know how continually they laboured him about it. 'And now,' said he, 'I must accuse one who is most nearest unto me, my sister; who did continually urge me on with telling me how all my friends and followers thought me a coward, and that I had lost all my valour.' And then thus, 'that she must be looked to, for that she had a proud spirit;' and spared not to say something of her affection to you. Would your Lordship have thought this weakness and this unnaturalness in this man?"—Tanner MSS. 76, fo. 22: the original letter.

tence in both was, as in this, against certain subjects; the Spencers in one and the Treasurer in the other. And this style of protestation, that no harm was intended to the person of the sovereign, was common in traitors. Manlius, the lieutenant of Catiline, had that very protestation. But the proceeding is such in this as no long discoursing needs to prove it treason: the act itself was treason.

The principal offences charged upon Sir John Davis were two: one, that he was a plotter and of the council at Drury House; another, that in the insurrection he had the custody of the Privy Councillors in Essex House; which had a correspondence with the action in the street.

The plot and insurrection entered into was to give laws to the Queen: the preparation was to have a choice band of men for action; men not met together by constellation; but assembled upon summons and letters sent. For, said Mr. Bacon, I will not charge Sir John Davis, although he be a man skilful in strange arts, that he sent spirits abroad; but letters were sent about this matter. The things to be acted were the matters consulted of, and then to design fit persons for every action: and for mutual encouragement there was a list of names drawn by the Earl; and these counsellors out of them were to elect fit persons to every office. The second plot was in taking of the Court,[1] and in this consultation he was *penna philosophi-scribentis;* you were clerk of that council-table and wrote all: and in the detaining of the Privy Councillors you were the man only trusted. And, as the Earl of Rutland said, you held it a stratagem of war to detain pledges, and was (*sic*) meant to have carried the Lord Keeper with the Great Seal into London, and to have had with you the Lord Chief Justice, a man for his integrity honoured and well beloved of the citizens. And this Achitophel plot you thought to have followed.

This is all that is reported, and may perhaps have been all that Bacon spoke. For "hereupon," adds the reporter, "Sir John Davis told Mr. Bacon, If with good manners I might, I would long since have interrupted you, and saved you a great part of [your] labour: for my intent is not to deny anything I have said or excuse that I have done, but to confess myself guilty of all, and submit myself wholly to the Queen's mercy. But in that you call me clerk of that council,

[1] *Sic.*

let me tell you that Sir Charles Davers was writing, but his hand being bad, I was desired to take the pen and write. But by-and-by the Earl said he would speed it himself; therefore we being together so long and doing so little, the Earl went to his house and set down all with his own hand, which was formerly set forth, touching the taking and possessing of the Court."[1]

The only one of the prisoners who attempted to contest the charge was Cuffe, whose case, though he had been deeply implicated in the conspiracy, was in one respect different from the others, inasmuch as he had taken no part in the Sunday tumult, but remained all day in Essex House; but all five were found guilty and sentenced to death in the usual form.

3.

By this time the Government were satisfied that they had seen the bottom of the conspiracy. Formidable as it had seemed at first from the number and quality of the persons engaged and the darkness in which it had been conducted, yet being unconnected with any cause of public interest,—having in fact no object at all but to further the personal ambition of one man,—now that this one man was gone there was nothing left to conspire for. It was a great danger escaped; but the escape was complete. Public security did not require the sacrifice of more lives; private influence, Cecil's as well as Bacon's, was used on the side of mercy: and with the execution of Essex himself, of Sir Christopher Blount, Sir Charles Davers, Sir Gilly Merick, and Henry Cuffe (who had all been more than followers in the enterprise) the work of the executioner stopped.

But there was still one thing unprovided for. Popular feeling having run so strongly in favour of Essex, and the public exposition of the case having been so confused and weak, it was still necessary to satisfy the *people*—the reading, writing, and talking public—that their favourite had received no wrong. The freedom with which he had informed against his associates had indeed incidentally helped the cause of justice by releasing them on their parts from all obligations of secrecy, so far as he was concerned. Blount and Davers were thenceforth at liberty to reveal what they knew: and being brave men who had given up all hope of life and did not mean either to deny what they had done or to justify it, they appear to have spoken out without any reserve. If any man still doubted whether treason had been committed, the additional facts now by them disclosed removed that doubt; and showed besides that the treason was of longer

[1] State Trials, i. 1438. Ed. 1816.

standing, of wider reach, of more dangerous and unscrupulous character, than at the time of the trial it appeared to be. But these disclosures had been made known as yet only by fractions, and mostly through the mouth of Coke, which was not the best medium of communication where the object was to conciliate opponents or to satisfy dissentients. They had not yet been put together so as to be seen in their true relation to each other and to the entire case. For the information and satisfaction of the public therefore, a clear, readable, and authentic narrative of the whole proceeding from the beginning to the end was still wanted; and the Queen resolved to have one put forth. Who was the fittest man to draw it up, if she had read any account of the trial, she could have little doubt; and on the 16th of March, Coke "delivered to Mr. Solicitor twenty-five papers concerning the Earl of Essex treasons, etc., to be delivered to Mr. Francis Bacon for her Majesty's service."[1]

This service was no doubt the drawing up of the "Declaration of the Practices and Treasons attempted and committed by Robert late Earl of Essex and his Complices:" concerning Bacon's share in which we know thus much upon his own authority:—that he was commanded by the Queen to write it: that having received particular and minute instructions as to the manner of treatment, he drew it up accordingly; that his draft being then submitted "by the Queen's appointment to certain principal Councillors," was "perused, weighed, censured, altered, and made almost a new writing, according to their Lordships' better consideration:" after which it was "exactly perused by the Queen herself, and some alterations made again by her appointment," both in the manuscript and in the first-printed copy.

What the particular alterations were, or how far Bacon in his private judgment approved of them, we have no means of knowing, no part of the original draft being in existence. But in an official declaration which was to be put forth in the Queen's name and by her authority, it was fit that the Queen herself with the advice of her Council should both prescribe the form and superintend the execution. Even if Bacon had seriously disapproved of the proposed alterations, their right to make what alterations they thought proper in a document for which not he but they were responsible was too clear and obvious to be questioned. He might advise, warn, expostulate; but it would have been merely ridiculous to insist. Fortunately however differences of this serious kind do not appear to have arisen. The effect of the alterations prescribed by the Queen was apparently to impart to the composition a somewhat harder and

[1] Memorandum, written in Coke's hand on the cover of a letter addressed to the Right Worshipful the Attorney-General. S. P. O.

colder tone than he had given it, or than he liked.[1] But with regard to the more material changes introduced at the instance of the Councillors, he distinctly states that "their Lordships and himself both were as religious and curious of truth as desirous of satisfaction."[2] In matters of substance therefore it must be considered as having his personal *imprimatur* as well as that of the Government. It was sent to the press on the 14th of April, 1601.[3]

Not having met with any contemporary notice of this publication, I cannot say what impression it made on popular opinion at the time. It had its effect probably in satisfying impartial minds of the then living generation, and in assisting the historian of the reign to relate that passage truly. But when a question of this kind has been practically disposed of and ceased to be a matter of business,—then, if the incidents be picturesque, pathetic, or otherwise exciting enough to attract a popular audience, it becomes a matter of fiction. Hence when in the heat of the unpopularity of the Spanish match, some twenty years after, "Essex's Ghost" was brought on the political stage to warn and exhort, he reappeared in all the colours of romance; as the representative hero of the then popular cause; the invincible captain before whose face nothing Spanish could ever stand; the true subduer of the Irish rebellion, of whose work another had merely inherited the fruit and carried away the credit; the patriotic councillor whose patriotism had brought upon him the hatred of wicked men, who by malicious intrigues and false accusations pursued him to death;—such a man in short as people delight to believe in. In this character he now took his place in our popular mythology; the true narrative sinking at the same time by necessary consequence into a slanderous libel. Thus the authentic history was superseded in authority by the unauthentic. The fiction which had neither evidence nor sponsor to support it was accepted as a revelation of "truth brought to light by time;" while the careful official declaration, framed with studious accuracy, guarded at every step with attested depositions, resting on the personal credit of men whom everybody

[1] "Nay, and after it was set to print, the Queen who, as your Lordship knoweth, as she was excellent in great matters so she was exquisite in small; and noted that I could not forget my ancient respect to my Lord of Essex, in terming him ever My Lord of Essex, My Lord of Essex, in almost every page of the book, which she thought not fit, but would have it made Essex, or the late Earl of Essex: whereupon of force it was printed *de novo*, and the first copies suppressed by her peremptory commandment."—Apology.

[2] Apology.

[3] Council Reg. Eliz. No. 17, fol. 152. 1601. April 14. "A lre. to M^r^ Barker her Mat^ys^ Printer. You shall receive herewith a discourse in writing, containing a Declaration of the late Earl of Essex treasons, w^ch^ her M. thinketh fit should be published for the better satisfying of the world. And therefore these are to will and require you to take present order for the printing of the said Discourse, and to use therein all the expedition you may." I quote from a copy.

knew, containing not a single statement that could be fairly disputed, was denounced as a libel and a fiction. Such was the character it had acquired when Clarendon (for I cannot think that his judgment was formed upon any serious inquiry of his own, even in his early life) wrote his remarks on Wotton's 'Parallel,' and such is the character it still bears; one writer repeating it after another, though not one has ever attempted (so far as I know) to point out any clause of any sentence in it which asserts or implies what is not true. Nay the error instead of wearing out with time seems to be gathering other kindred errors round it: for within these thirty years a specific charge of dishonesty bearing personally upon Bacon has grown out of it; and though this charge breaks down the moment it is looked into, yet it rests upon authority too respectable, and has been received without examination or suspicion by too many subsequent writers, and is indeed when unexamined too specious in itself, to be passed by here without notice.

4.

When the late Mr. Jardine was preparing his account of the trial of the Earls of Essex and Southampton for the "Library of Entertaining Knowledge," he searched or employed somebody to search the State Paper Office. There he found many of the depositions which were read at the trial and published by way of appendix in the Declaration of Treasons: found them in their original condition, with Coke's memoranda and directions as to the parts which were to be read, still legible in the margin. In several places however he observed in another hand, which appeared to be Bacon's, the letters *om.* written: and looking at the printed Declaration for the passages so marked, he found that they were all omitted. Upon this he concluded that the passages in question, though they had been read and proved in Court, were struck out after the trial by Bacon himself, to suit the purposes of the Declaration: and then setting himself to guess what those purposes might be, fell upon this,—that they must have been omitted because they tended to soften the evidence against Essex, and to contradict or qualify in some of its material features the story of the transaction which the Government thought fit to circulate: whence it appeared that Bacon had been personally guilty of "garbling the depositions" in order to falsify the history of the case.

A grave charge. To which however the answer need not be long, though it falls into four divisions. First, it is by no means certain that the marks in question were made with reference to the Declaration at all. Secondly, it is quite possible that the passages in ques-

tion had been omitted at the trial. Thirdly, whether the omission were right or wrong, there is no ground for imputing it to Bacon personally. Fourthly, the passages omitted do not in any one particular tend to soften the evidence against Essex as explained in the narrative part, or to modify in any way the history of the case, as far as it concerned him.

That the marks were made with a view to the Declaration I doubt, because, though it be true that none of the passages so marked are inserted in the appendix, it is also true that several which are *not* so marked are nevertheless omitted in the appendix, and that similar marks are found in other papers of which no part is printed there; and because they may be easily accounted for in another way. Several persons, each of whom had borne a different share in the action, and whose several cases required each a separate proof, were to be tried upon evidence contained in these same depositions. Why may not the marks have been made with a view to some of these trials,—the object of the omissions being to clear the evidence in those cases of superfluous matter?

That the passages in question had been read and proved at the trial I also doubt. The fact is assumed by Mr. Jardine only because they had *not* been marked for omission by Coke. But why may not Coke have *meant* to produce a piece of evidence which he afterwards found reason to withhold? And why may not Bacon, in a publication professing to give "such confessions as were given in evidence at the arraignments," have struck out those parts which were *not* given in evidence?

That the fact of the marks being in Bacon's handwriting proves that he was personally responsible for them I deny: because the question what should be published and what withheld was for the Council to settle, not for him: and he may have been merely writing down their directions.

In what respect the omitted passages alter the effect of the evidence, or contradict or correct the story told in the body of the narrative, the reader shall judge for himself. For though it will be seen that most of them were omitted for very good reasons,—to avoid the public exposure of persons who were by this time sufficiently penitent and ashamed, as well as the betrayal to neighbour nations of all the blots in our own tables—a point on which Cecil's correspondence with Winwood shows great anxiety,—yet all such reasons are now obsolete; and as the publication of these things can no longer do harm to anybody, he will find them all printed in their places and enclosed for distinction within brackets.

5.

With regard to the general charge of untruthfulness, I have said that nobody has yet attempted to specify any particular untruth expressed or implied in the government Declaration. And it is singular that Mr. Jardine himself does not form an exception: for though he does specify, as contradicted by one of the omitted passages, a particular statement which he *assumes* to be contained in the Declaration, it is certain that there is no such statement there; but that on the contrary the precise import of that passage, as Mr. Jardine himself infers it, is represented in the body of the narrative with delicate exactness. In the absence of such specification, I can only oppose to the general charge a general expression of my own conviction; which is, that the narrative put forth by the Government was meant to be, and was by its authors believed to be, a narrative strictly and scrupulously veracious. It is true that it was written under the excitement and agitation of that last and most portentous disclosure, which in proving that Essex had been capable of designs far worse than anybody had suspected him of, suggested a new explanation of all that had been most suspicious and mysterious in his previous proceedings —and it may be that things which before had been rejected as incredible were now too easily believed. In so dark a thing as treason it is impossible to have positive evidence at every step. Many passages must remain obscure and fairly open to more interpretations than one: and in one or two of those points which are and profess to be "matter of inference or presumption," as distinguished from "matter of plain and direct proofs," there is room probably without setting aside indisputable facts for an interpretation of Essex's conduct more favourable than that adopted by the Queen and her Councillors. It does not indeed follow either that such interpretation is the more probable, or even that it was not *known* by them to be inadmissible. Still some mistakes in that direction are not unlikely to have occurred, and it is fit they should be exposed by those who can do it. Only it must be upon such a theory as explains, not ignores, the facts.

In my own account of the matter so far, I have abstained, in deference to so general a prejudice, from using the Declaration as an authority; and have assumed as a fact nothing for which I cannot quote evidence independent of it. For the rest I shall let it speak for itself. It will be found to be a very luminous and coherent narrative, and certainly much nearer the truth than any which has been put forth since it became the fashion to treat it as a fiction.

A

DECLARATION OF THE PRACTICES AND TREASONS

ATTEMPTED AND COMMITTED BY

ROBERT LATE EARL OF ESSEX

AND HIS COMPLICES,

AGAINST HER MAJESTY AND HER KINGDOMS,

AND OF THE PROCEEDINGS AS WELL AT THE ARRAIGNMENTS AND CONVICTIONS OF THE SAID LATE EARL, AND HIS ADHERENTS, AS AFTER:

TOGETHER WITH THE VERY CONFESSIONS

AND OTHER PARTS OF THE EVIDENCES THEMSELVES, WORD FOR WORD TAKEN OUT OF THE ORIGINALS.

IMPRINTED AT LONDON BY ROBERT BARKER,
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Anno 1601.

A DECLARATION

TOUCHING THE

TREASONS OF THE LATE EARL OF ESSEX AND HIS COMPLICES.

Though public justice passed upon capital offenders, according to the laws, and in course of an honourable and ordinary trial (where the case would have borne and required the severity of martial law to have been speedily used), do in itself carry a sufficient satisfaction towards all men, specially in a merciful government, such as her Majesty's is approved to be: yet because there do pass abroad in the hands of many men divers false and corrupt collections and relations of the proceedings at the arraignment of the late Earls of Essex and Southampton; and again, because it is requisite that the world do understand as well the precedent practices and inducements to the treasons, as the open and actual treasons themselves (though in a case of life it was not thought convenient to insist at the trial upon matter of inference or presumption, but chiefly upon matter of plain and direct proofs); therefore it hath been thought fit to publish to the world a brief Declaration of the practices and treasons attempted and committed by Robert late Earl of Essex and his complices against her Majesty and her kingdoms, and of the proceedings at the convictions of the said late Earl and his adherents upon the same treasons: and not so only, but therewithal, for the better warranting and verifying of the narration, to set down in the end the very confessions and testimonies themselves, word for word taken out of the originals, whereby it will be most manifest that nothing is obscured or disguised, though it do appear by divers most wicked and seditious libels thrown abroad, that the dregs of these treasons, which the late Earl of Essex himself, a little before his death, did term a Leprosy, *that had infected far and near, do yet remain in the hearts and tongues of some misaffected persons.*

THE most partial will not deny, but that Robert late Earl of Essex was by her Majesty's manifold benefits and graces, besides oath and allegiance, as much tied to her Majesty as the subject could be to the sovereign; her Majesty having heaped upon him both dignities, offices, and gifts, in such measure, as within the circle of twelve years or more there was scarcely a year of rest, in which he did not obtain at her Majesty's hands some notable addition either of honour or profit.

But he on the other side, making these her Majesty's favours nothing else but wings for his ambition, and looking upon them not as her benefits but as his advantages, supposing that to be his own metal which was but her mark and impression, was so given over by God (who often punisheth ingratitude by ambition, and ambition by treason, and treason by final ruin), as he had long ago plotted it in his heart to become a dangerous supplanter of that seat, whereof he ought to have been a principal supporter; in such sort as now every man of common sense may discern not only his last actual and open treasons, but also his former more secret practices and preparations towards those his treasons, and that without any gloss or interpreter but himself and his own doings.

For first of all, the world can now expound why it was that he did aspire, and had almost attained, unto a greatness like unto the ancient greatness of the *Præfectus Prætorio* under the Emperors of Rome, to have all men of war to make their sole and particular dependence upon him; that with such jealousy and watchfulness he sought to discountenance any one that might be a competitor to him in any part of that greatness; that with great violence and bitterness he sought to suppress and keep down all the worthiest martial men which did not appropriate their respects and acknowledgments only towards himself. All which did manifestly detect and distinguish, that it was not the reputation of a famous leader in the wars which he sought (as it was construed a great while), but only power and greatness to serve his own ends; considering he never loved virtue nor valour in another, but where he thought he should be proprietary and commander of it, as referred to himself.

So likewise those points of popularity which every man took notice and note of, as his affable gestures, open doors, making his table and his bed so popularly places of audience to suitors,

denying nothing when he did nothing, feeding many men in their discontentments against the Queen and the state, and the like, as they ever were since Absalon's time the forerunners of treasons following, so in him were they either the qualities of a nature disposed to disloyalty, or the beginnings and conceptions of that which afterwards grew to shape and form.

But as it were a vain thing to think to search the roots and first motions of treasons, which are known to none but God that discerns the heart, and the devil that gives the instigation; so it is more than to be presumed (being made apparent by the evidence of all the events following) that he carried into Ireland a heart corrupted in his allegiance, and pregnant of those or the like treasons which afterwards came to light.

For being a man by nature of an high imagination, and a great promiser to himself as well as to others, he was confident that if he were once the first person in a kingdom, and a sea between the Queen's seat and his, and Wales the nearest land from Ireland, and that he had got the flower of the English forces into his hands (which he thought so to intermix with his own followers, as the whole body should move by his spirit), and if he might have also absolutely into his hands *potestatem vitæ et necis* and *arbitrium belli et pacis* over the rebels of Ireland, whereby he might entice and make them his own, first by pardons and conditions, and after by hopes to bring them in place where they should serve for hope of better booties than cows, he should be able to make that place of Lieutenancy of Ireland as a rise or step to ascend to his desired greatness in England.

And although many of these conceits were windy, yet neither were they the less like to his, neither are they now only probable conjectures or comments upon these his last treasons, but the very preludes of actions almost immediately subsequent, as shall be touched in due place.

But first, it was strange with what appetite and thirst he did affect and compass the government of Ireland, which he did obtain. For although he made some formal shows to put it from him; yet in this, as in most things else, his desires being too strong for his dissimulations, he did so far pass the bounds of *decorum*, as he did in effect name himself to the Queen by such description and such particularities as could not be applied to any other but himself; neither did he so only, but further he

was still at hand to offer and urge vehemently and peremptorily exceptions to any other that was named.

Then after he once found that there was no man but himself (who had other matters in his head) so far in love with that charge as to make any competition or opposition to his pursuit, whereby he saw it would fall upon him, and especially after himself was resolved upon, he began to make propositions to her Majesty by way of taxation of the former course held in managing the actions of Ireland, especially upon three points; The first, that the proportions of forces which had been there maintained and continued by supplies, were not sufficient to bring the prosecutions there to period. The second, that the axe had not been put to the root of the tree, in regard there had not been made a main prosecution upon the arch-traitor Tyrone in his own strength, within the province of Ulster. The third, that the prosecutions before time had been intermixed and interrupted with too many temporizing treaties, whereby the rebel did ever gather strength and reputation to renew the war with advantage. All which goodly and well-sounding discourses, together with the great vaunts that he would make the earth tremble before him, tended but to this, that the Queen should increase the list of her army and all proportions of treasure and other furniture, to the end his commandment might be the greater. For that he never intended any such prosecution may appear by this, that even at the time before his going into Ireland he did open himself so far in speech to Blunt, his inwardest counsellor, *That he did assure himself that many of the rebels in Ireland would be advised by him:* so far was he from intending any prosecution towards those in whom he took himself to have interest. But his ends were two; The one, to get great forces into his hands; the other, to oblige the heads of the rebellion unto him, and to make them of his party. These two ends had in themselves a repugnancy; for the one imported prosecution, and the other treaty: but he, that meant to be too strong to be called to account for anything, and meant besides when he was once in Ireland to engage himself in other journeys that should hinder the prosecution in the North, took things in order as they made for him. And so first did nothing, as was said, but trumpet a final and utter prosecution against Tyrone in the North, to the end to have his forces augmented.

The confession of Blunt, 3.

But yet he forgat not his other purpose of making himself strong by a party amongst the rebels, when it came to the scanning of the clauses of his commission. For then he did insist, and that with a kind of contestation, that the pardoning, no not of Tyrone himself, the capital rebel, should be excepted and reserved to her Majesty's immediate grace; being infinitely desirous that Tyrone should not look beyond him for his life or pardon, but should hold his fortune as of him, and account for it to him only.

So again, whereas in the commission of the Earl of Sussex, and of all other lieutenants or deputies, there was ever in that clause which giveth unto the lieutenant or deputy that high or regal point of authority to pardon treasons and traitors, an exception contained of such cases of treason as are committed against the person of the King; it was strange, and suspiciously strange even at that time, with what importunity and instance he did labour, and in the end prevailed, to have that exception also omitted; glosing then, that because he had heard that by strict exposition of law (a point in law that he would needs forget at his arraignment, but could take knowledge of it before, when it was to serve his own ambition,) all treasons of rebellion did tend to the destruction of the King's person, it might breed a buzz in the rebels' heads, and so discourage them from coming in; whereas he knew well that in all experience passed, there was never rebel made any doubt or scruple upon that point to accept of pardon from all former governors, who had their commissions penned with that limitation (their commissions being things not kept secretly in a box, but published and recorded): so as it appeared manifestly that it was a mere device of his own out of the secret reaches of his heart then not revealed; but it may be shrewdly expounded since, what his drift was, by those pardons which he granted to Blunt the marshal, and Thomas Lee, and others, that his care was no less to secure his own instruments than the rebels of Ireland.

Yet was there another point for which he did contend and contest, which was, that he might not be tied to any opinion of the Counsel of Ireland, as all others in certain points (as pardoning traitors, concluding war and peace, and some other principal articles) had been before him; to the end he might be absolute of himself, and be fully master of opportunities and occasions for the performing and executing of his own treasonable ends.

But after he had once by her Majesty's singular trust and favour toward him obtained his patent of commission as large, and his list of forces as full as he desired, there was an end in his course of the prosecution in the North. For being arrived into Ireland, the whole carriage of his actions there was nothing else but a cunning defeating of that journey, with an intent (as appeared) in the end of the year to pleasure and gratify the rebel with a dishonourable peace, and to contract with him for his own greatness.

Therefore not long after he had received the sword, he did voluntarily engage himself in an unseasonable and fruitless journey into Munster, a journey never propounded in the Counsel there, never advertised over hither while it was past: by which journey her Majesty's forces, which were to be preserved entire both in vigour and number for the great prosecution, were harassed and tired with long marches together, and the northern prosecution was indeed quite dashed and made impossible.

But yet still doubting he might receive from her Majesty some quick and express commandment to proceed; to be sure, he pursued his former device of wrapping himself in other actions, and so set himself on work anew in the county of Ophaley, being resolved, as is manifest, to dally out the season, and never to have gone that journey at all: that setting forward which he made in the very end of August being but a mere play and a mockery, and for the purposes which now shall be declared.

After he perceived that four months of the summer and three parts of the army were wasted, he thought now was a time to set on foot such a peace as might be for the rebels' advantage, and so to work a mutual obligation between Tyrone and himself; for which purpose he did but seek a commodity. He had there with him in his army one Thomas Lee, a man of a seditious and working spirit, and one that had been privately familiar and entirely beloved of Tyrone, and one that afterwards, immediately upon Essex open rebellion, was apprehended for a desperate attempt of violence against her Majesty's person; which he plainly confessed, and for which he suffered. Wherefore judging him to be a fit instrument, he made some signification to Lee of such an employment, which was no sooner signified than apprehended by Lee. He gave order also to Sir Christopher Blunt, marshal of his army, to license Lee to go to Tyrone, when he

should require it. But Lee thought good to let slip first unto Tyrone (which was nevertheless by the marshal's warrant) one James Knowd, a person of wit and sufficiency, to sound in what terms and humours Tyrone then was. This Knowd returned a message from Tyrone to Lee, which was, *That if the Earl of Essex would follow Tyrone's plot, he would make the Earl of Essex the greatest man that ever was in England: and further, that if the Earl would have conference with him, Tyrone would deliver his eldest son in pledge for his assurance.* This message was delivered by Knowd to Lee, and by Lee was imparted to the Earl of Essex, who after this message employed Lee himself to Tyrone, and by his negotiating (whatsoever passed else) prepared and disposed Tyrone to the parley.

The confession of Th. Lee.

And this employment of Lee was a matter of that guiltiness in my Lord, as, being charged with it at my Lord Keeper's only in this nature (for the message of Knowd was not then known) that when he pretended to assail Tyrone he had before underhand agreed upon a parley, my Lord utterly denied it that he ever employed Lee to Tyrone at all, and turned it upon Blunt, whom he afterwards required to take it upon him, having before sufficiently provided for the security of all parts, for he had granted both to Blunt and Lee pardons of all treasons under the great seal of Ireland, and so, himself disclaiming it, and they being pardoned, all was safe.[1]

In the confession of Blunt at the bar, he did then declare that he had Essex his particular warrant to send Lee, and afterwards was desired by Essex to take it upon himself, and that they both had pardons.

But when that Tyrone was by these means (besides what others God knows) prepared to demand a parley, now was the time for Essex to acquit himself of all the Queen's commandments, and his own promises and undertakings for the northern journey; and not so alone, but to have the glory at the disadvantage of the year, being but 2500 strong of foot, and 300 of horse, after the fresh disaster of Sir Coniers Clifford, in the height of the rebels' pride, to set forth to assail, and then that the very terror and reputation of my Lord of Essex person was such as did daunt him and make him stoop to seek a parley; and this was the end he shot at in that September journey, being a mere abuse and bravery, and but inducements only to the treaty, which was the only matter he intended. For Essex drawing now towards the catastrophe or last part of that tragedy for which he came upon the stage in Ireland, his treasons grew to a further

[1] See Additional Evidences, No. I. and No. IX.

ripeness. For knowing how unfit it was for him to communicate with any English, even of those whom he trusted most and meant to use in other treasons, that he had an intention to grow to an agreement with Tyrone to have succours from him for the usurping upon the state here, (not because it was more dangerous than the rest of his treasons, but because it was more odious, and in a kind monstrous, that he should conspire with such a rebel against whom he was sent, and therefore might adventure to alienate men's affections from him,) he drave it to this, that there might be, and so there was, under colour of treaty, an interview and private conference between Tyrone and himself only, no third person admitted. A strange course, considering with whom he dealt, and especially considering what message Knowd had brought, which should have made him rather call witnesses to him than avoid witnesses. But he being only true to his own ends, easily dispensed with all such considerations. Nay there was such careful order taken that no person should overhear one word that passed between them two, as because the place appointed and used for the parley was such as there was the depth of a brook between them, which made them speak [with] some loudness, there were certain horsemen appointed by order from Essex to keep all men off a great distance from the place.

It is true that the secrecy of that parley, as it gave to him the more liberty of treason, so it may give any man the more liberty of surmise what was then handled between them; inasmuch as nothing can be known but by report from one of them two, either Essex or Tyrone.

But although there were no proceeding against Essex upon these treasons, and that it were a needless thing to load more treasons upon him then, whose burthen was so great after; yet, for truth's sake, it is fit the world know what is testified touching the speeches, letters, and reports of Tyrone, immediately following this conference, and observe also what ensued likewise in the designs of Essex himself.

On Tyrone's part it fell out, that the very day after that Essex came to the Court of England, Tyrone having conference with Sir William Warren at Armagh, by way of discourse told him, and bound it with an oath, and iterated it two or three several times; *That within two or three months he should see the greatest alterations and strangest that ever he saw in his life, or could*

The relation of Sir W. Warren certified under his hand, from

imagine: and that he the said Tyrone hoped ere long to have a good share in England. With this concurred fully the report of Richard Bremingham, a gentleman of the Pale, having made his repair about the same time to Tyrone to right him in a cause of land; saving that Bremingham delivers the like speech of Tyrone to himself; but not what Tyrone hoped, but what Tyrone had promised in these words, *That he had promised* (it may be thought to whom) *ere long to show his face in England, little to the good of England.*

the Council of Ireland to the Lords of the Council here.

The report of R. Bremingham to the Council of Estate in Ireland.

These generalities coming immediately from the report of Tyrone himself, are drawn to more particularity in a conference had between the Lord Fitz-Morrice, Baron of Liksnawe in Munster, and one Thomas Wood, a person well reputed of, immediately after Essex coming into England. In which conference Fitz-Morrice declared unto Wood, that Tyrone had written to the traitorous titulary Earl of Desmond, to inform him that the condition of that contract between Tyrone and Essex was, *That Essex should be King of England; and that Tyrone should hold of him the honour and state of Viceroy of Ireland; and that the proportion of soldiers which Tyrone should bring or send to Essex, were* 8000 *Irish.* With which concurreth fully the testimony of the said James Knowde, who, being in credit with Owny Mac Roory, chief of the Omoores in Lemster, was used as a secretary for him, in the writing of a letter to Tyrone, immediately after Essex coming to England. The effect of which letter was, *To understand some light of the secret agreement between the Earl of Essex and Tyrone, that he the said Owny might frame his course accordingly.* Which letter, with further instructions to the same effect, was in the presence of Knowde delivered to Turlagh Macdavy, a man of trust with Owny, who brought an answer from Tyrone: the contents whereof were, *That the Earl of Essex had agreed to take his part, and that they should aid him towards the conquest of England.*

The confession of Thomas Wood.

The confession of James Knowde.

Besides, very certain it is, and testified by divers credible persons, that immediately upon this parley there did fly abroad as sparkles of this fire (which it did not concern Tyrone so much to keep secret, as it did Essex) a general and received opinion, that went up and down in the mouths both of the better and meaner sort of rebels, *That the Earl of Essex was theirs, and they his: and that he would never leave the one sword, meaning*

The declaration of David He-

therington, James Knowd, and others.

that of Ireland, till he had gotten the other in England; and that he would bring them to serve, where they should have other manner of booties than cows; and the like speeches. And Thomas Lee himself, (who had been, as was before declared, with Tyrone two or three days, upon my Lord's sending, and had sounded him) hath left it confessed under his hand, *That he knew the Earl of Essex and Tyrone to be one, and to run the same courses.*

The confession of Th. Lee.

And certain it is also, that immediately upon that parley Tyrone grew into a strange and unwonted pride, and appointed his progresses and visitations to receive congratulations and homages from his confederates, and behaved himself in all things as one that had some new spirit of hope and courage put into him.

But on the Earl of Essex his part ensued immediately after this parley a strange motion and project, which though no doubt he had harboured in his breast before, yet for anything yet appeareth, he did not utter and break with any in it, before he had been confirmed and fortified in his purpose by the combination and correspondence which he found in Tyrone upon their conference. Neither is this a matter gathered out of reports, but confessed directly by two of his principal friends and associates, being witnesses upon their own knowledge, and of that which was spoken to themselves: the substance of which confessions is this: *That a little before my Lord's coming over into England,*[1] *at the castle of Dublin, where Sir Christopher Blunt lay hurt, having been lately removed thither from Reban, a castle of Thomas Lee's, and placed in a lodging that had been my Lord of Southampton's, the Earl of Essex took the Earl of Southampton with him to visit Blunt, and there being none present but they three, my Lord of Essex told them, he found it now necessary for him to go into England, and would advise with them of the manner of his going, since to go he was resolved. And thereupon propounded unto them, that he thought it fit to carry with him of the army in Ireland as much as he could conveniently transport, at least the choice of it, to the number of two or three thousand, to secure and make good his first descent on shore, purposing to land them at Milford-Haven in Wales, or thereabouts: not doubting, but that his army would so increase within a small time by such*

The Earl of Southampton and Sir Christopher Blunt.

The substance of that which is confessed by Southampton and Blunt touching Essex purpose to have transported into England the army of Ireland, and the changing of that design into the other design of surprising the Queen and Court.

[1] According to the examination which bears Sir Christopher's signature, it was "some few days before the Earl's journey *into the North:*" which would imply a still more deliberate and inexcusable treason, and seems hardly credible. See Additional Evidences, No. IX.

as would come in to him, as he should be able to march with his power to London, and make his own conditions as he thought good. But both Southampton and Blunt dissuaded him from this enterprise; Blunt alleging the hazard of it, and that it would make him odious: and Southampton utterly disliking of that course, upon the same and many other reasons. Howbeit thereupon Blunt advised him rather to another course, which was to draw forth of the army some 200 *resolute gentlemen, and with those to come over, and so to make sure of the Court, and so to make his own conditions.* Which confessions it is not amiss to deliver by what a good providence of God they came to light: for they could not be used at Essex arraignment to charge him, because they were uttered after his death.

The speech of Sir Christopher Blunt at his arraignment, and the occasion of the falling into the aforesaid confessions.

But Sir Christopher Blunt at his arraignment, being charged that the Earl of Essex had set it down under his hand that he had been a principal instigator of him to his treasons, in passion brake forth into these speeches: *That then he must be forced to disclose what further matters he had held my Lord from, and desired for that purpose (because the present proceeding should not be interrupted) to speak with the Lord Admiral and Mr. Secretary after his arraignment;* and so fell most naturally and most voluntarily into this his confession, which if it had been thought fit to have required of him at that time publicly, he had delivered before his conviction. And the same confession he did after (at the time of his execution) constantly and fully confirm, discourse particularly, and take upon his death, where never any man showed less fear, nor a greater resolution to die.

And the same matter so by him confessed was likewise confessed with the same circumstances of time and place by Southampton, being severally examined thereupon.

So as now the world may see how long since my Lord put off his vizard, and disclosed the secrets of his heart to two of his most confident friends, falling upon that unnatural and detestable treason, whereunto all his former actions in his government in Ireland (and God knows how long before) were but introductions.

The place of General of the Horse in the army of Ireland

But finding that these two persons, which of all the rest he thought to have found forwardest, Southampton, whose displacing he had made his own discontentment (having placed him, no question, to that end, to find cause of discontentment), and

was conferred by Essex upon Southampton contrary to her Majesty's express commandment.

Blunt, a man so enterprising and prodigal of his own life (as himself termed himself at the bar), did not applaud to this his purpose, and thereby doubting how coldly he should find others minded, that were not so near to him; and therefore condescending to Blunt's advice to surprise the Court, he did pursue that plot accordingly, and came over with a selected company of captains and voluntaries, and such as he thought were most affectionate unto himself and most resolute, though not knowing of his purpose. So as even at that time every man noted and wondered what the matter should be, that my Lord took his most particular friends and followers from their companies, which were countenance and means unto them, to bring them over. But his purpose (as in part was touched before) was this; that if he held his greatness in Court, and were not committed (which, in regard of the miserable and deplored estate he left Ireland in, whereby he thought the opinion here would be that his service could not be spared, he made full account he should not be) then, at the first opportunity, he would execute the surprise of her Majesty's person. And if he were committed to the Tower or to prison for his contempts (for besides his other contempts, he came over expressly against the Queen's prohibition under her signet), it might be the care of some of his principal friends, by the help of that choice and resolute company which he brought over, to rescue him.

But the pretext of his coming over was, by the efficacy of his own presence and persuasion to have moved and drawn her Majesty to accept of such conditions of peace as he had treated of with Tyrone in his private conference; which was indeed somewhat needful, the principal article of them being, *That there should be a general restitution of rebels in Ireland to all their lands and possessions, that they could pretend any right to before their going out into rebellion,* without reservation of such lands as were by Act of Parliament passed to the Crown, and so planted with English, both in the time of Queen Mary, and since; and without difference either of time of their going forth, or nature of their offence, or other circumstance: tending in effect to this, That all the Queen's good subjects, in most of the provinces, should have been displanted, and the country abandoned to the rebels.

When this man was come over, his heart thus fraughted with

treasons, and presented himself to her Majesty, it pleased God, in his singular providence over her Majesty, to guide and hem in her proceeding towards him in a narrow way of safety between two perils. For neither did her Majesty leave him at liberty, whereby he might have commodity to execute his purpose; nor restrain him in any such nature, as might signify or betoken matter of despair of his return to Court and favour. And so the means of present mischief being taken away, and the humours not stirred, this matter fell asleep, and the thread of his purposes was cut off. For coming over about the end of September, and not denied access and conference with her Majesty, and then being commanded to his chamber at Court for some days, and from thence to the Lord Keeper's house, it was conceived that these were no ill signs. At my Lord Keeper's house he remained till some few days before Easter, and then was removed to his own house, under the custody of Sir Richard Barkley, and in that sort continued till the end of Trinity Term following.

For her Majesty all this while looking into his faults with the eye of her princely favour, and loath to take advantage of his great offences in other nature than as contempts, resolved so to proceed against him as might (to use her Majesty's own words) tend *ad correctionem, et non ad ruinam.*

Nevertheless afterwards, about the end of Trinity Term following, for the better satisfaction of the world, and to repress seditious bruits and libels which were dispersed in his justification, and to observe a form of justice before he should be set at full liberty; her Majesty was pleased to direct, that there should be associate unto her Privy Counsel some chosen persons of her nobility, and of her judges of the law; and before them his cause (concerning the breaking of his instructions for the northern prosecution, and the manner of his treating with Tyrone, and his coming over and leaving the kingdom of Ireland contrary to her Majesty's commandment, expressed as well by signification thereof made under her royal hand and signet as by a most binding and effectual letter written privately to himself) to receive a hearing; with limitation nevertheless that he should not be charged with any point of disloyalty; and with like favour directed that he should not be called in question in the open and ordinary place of offenders in the Star Chamber, from which he

had likewise by a most penitent and humble letter desired to be spared, as that which would have wounded him for ever as he affirmed, but in a more private manner at my Lord Keeper's house. Neither was the effect of the sentence that there passed against him any more than a suspension of the exercise of some of his places: at which time also, Essex, that could vary himself into all shapes for a time, infinitely desirous (as by the sequel now appeareth) to be at liberty to practise and revive his former purposes, and hoping to set into them with better strength than ever, because he conceived the people's hearts were kindled to him by his troubles, and that they had made great demonstrations of as much; he did transform himself into such a strange and dejected humility, as if he had been no man of this world, with passionate protestations that he called God to witness *That he had made an utter divorce with the world; and he desired her Majesty's favour not for any worldly respect, but for a preparative for a* Nunc dimittis; *and that the tears of his heart had quenched in him all humours of ambition.* All this to make her Majesty secure, and to lull the world asleep, that he was not a man to be held any ways dangerous.

Not many days after, Sir Richard Barkley his keeper was removed from him, and he set at liberty; with this admonition only, *That he should not take himself to be altogether discharged, though he were left to the guard of none but his own discretion.* But he felt himself no sooner upon the wings of his liberty but (notwithstanding his former shows of a mortified estate of mind) he began to practise afresh, as busily as ever reviving his former resolution; which was the surprising and possessing the Queen's person and the Court. And that it may appear how early after his liberty he set his engines on work, having long before entertained into his service, and during his government in Ireland drawn near unto him in the place of his chief secretary, one Henry Cuffe, a base fellow by birth, but a great scholar, and indeed a notable traitor by the book, being otherwise of a turbulent and mutinous spirit against all superiors:

The declaration of Sir Henry Nevill.

This fellow, in the beginning of August, which was not a month after Essex liberty granted, fell of practising with Sir Henry Nevill, that served her Majesty as leiger ambassador with the French King, then newly come over into England from Bulleyn; abusing him with a false lie and mere invention, that his

service was blamed and misliked and that the imputation of the breach of the treaty of peace held at Bulleyn was like to light upon him (when there was no colour of any such matter), only to distaste him of others and fasten him to my Lord; though he did not acquaint him with any particulars of my Lord's designs till a good while after.

But my Lord having spent the end of the summer (being a private time, when everybody was out of town and dispersed) in digesting his own thoughts, with the help and conference of Master Cuffe, they had soon set down between them the ancient principle of traitors and conspirators, which was, *to prepare many, and to acquaint few;* and, after the manner of mines, to make ready their powder and place it, and then give fire but in the instant. Therefore the first consideration was of such persons as my Lord thought fit to draw to be of his party; singling out both of nobility and martial men and others such as were discontented or turbulent, and such as were weak of judgment and easy to be abused, or such as were wholly dependants and followers (for means or countenance) of himself, Southampton, or some other of his greatest associates.

And knowing there were no such strong and drawing cords of popularity as religion, he had not neglected, both at this time and long before, in a profane policy to serve his turn (for his own greatness) of both sorts and factions, both of Catholics and Puritans, as they term them; turning his outside to the one and his inside to the other, and making himself pleasing and gracious to the one sort by professing zeal and frequenting sermons and making much of preachers, and secretly underhand giving assurance to Blunt, Davies, and divers others, that (if he might prevail in his desired greatness) he would bring in a toleration of the Catholic religion. The confession of Blunt and Davis.

Then having passed the whole Michaelmas Term in making himself plausible, and in drawing concourse about him, and in affecting and alluring men by kind provocations and usage (wherein, because his liberty was qualified, he neither forgot exercise of mind nor body, neither sermon nor tennis-court, to give the occasion and freedom of access and concourse unto him) and much other practice and device; about the end of that term, towards Christmas, he grew to a more framed resolution of the time and manner, when and how he would put his purpose in

execution. And first, about the end of Michaelmas Term, it passed as a kind of cipher and watchword amongst his friends and followers, *That my Lord would stand upon his guard:* which might receive construction in a good sense, as well guard of circumspection as guard of force: but to the more private and trusty persons he was content it should be expounded that he would be cooped up no more, nor hazard any more restraints or commandments.

The declaration of Sir Henry Nevill, and confession of Sir Ferdinando Gorge.

But the next care was, how to bring such persons as he thought fit for his purpose into town together, without vent of suspicion, to be ready at the time when he should put his design in execution; which he had concluded should be some time in Hilary Term; wherein he found many devices to draw them up, some for suits in law, and some for suits in Court, and some for assurance of land: and one friend to draw up another, it not being perceived that all moved from one head. And it may be truly noted, that in the catalogue of those persons that were the eighth of February in the action of open rebellion, a man may find almost out of every county of England some; which could not be by chance or constellation: and in the particularity of examinations (too long to be rehearsed) it was easy to trace in what sort many of them were brought up to town, and held in town upon several pretences. But in Candlemas Term, when the time drew near, then was he content consultation should be had by certain choice persons, upon the whole matter and course which he should hold. And because he thought himself and his own house more observed, it was thought fit that the meeting and conference should be at Drury House, where Sir Charles Davers lodged. There met at this council, the Earl of Southampton, with whom in former times he had been at some emulations and differences in Court. But after, Southampton having married his kinswoman, and plunged himself wholly into his fortune, and being his continual associate in Ireland, he accounted of him as most assured unto him, and had long ago in Ireland acquainted him with his purpose, as was declared before. Sir Charles Davers, one exceedingly devoted to the Earl of Southampton, upon affection begun first upon the deserving of the same Earl towards him, when he was in trouble about the murther of one Long. Sir Ferdinando Gorge, one that the Earl of Essex had of purpose sent for up from his government at Plymouth by his letter, with particular assignation to be here before the second of February.

The confession of Blunt.

Sir John Davies, one that had been his servant, and raised by him, and that bare office in the Tower, being Surveyor of the Ordnance, and one that he greatly trusted: and John Littleton, one they respected for his wit and valour.

The consultation and conference rested upon three parts: The perusal of a list of those persons, whom they took to be of their party: The consideration of the action itself which they should set afoot, and how they should proceed in it: And the distribution of the persons, according to the action concluded on, to their several employments.

The confessions of Sir Charles Davers, 1, 2; Sir John Davis, 2; Sir Ferdin. Gorge, 2; Sir Christopher Blunt, 2; Southampton at the bar.

The list contained the number of sixscore persons, noblemen and knights and principal gentlemen, and was (for the more credit's sake) of the Earl of Essex own handwriting.

For the action itself, there was proposition made of two principal articles: The one, of possessing the Tower of London: The other, of surprising her Majesty's person and the Court; in which also deliberation was had what course to hold with the City, either towards the effecting of the surprise or after it was effected.

For the Tower was alleged, the giving a reputation to the action, by getting into their hand the principal fort of the realm, with the stores and provisions thereunto appertaining, the bridling of the City by that piece, and commodity of entrance in and possessing it, by the means of Sir John Davis. But this was by opinion of all rejected, as that which would distract their attempt from the more principal, which was the Court, and as that which they made a judgment would follow incidently, if the Court were once possessed.

But the latter, which was the ancient plot (as was well known to Southampton), was in the end by the general opinion of them all insisted and rested upon.

And the manner how it should be ordered and disposed was this: That certain selected persons of their number, such as were well known in Court, and might have access without check or suspicion into the several rooms in Court, according to the several qualities of the persons and the differences of the rooms, should distribute themselves into the Presence, the Guard-chamber, the Hall, and the utter Court and gate, and some one principal man undertaking every several room with the strength of some few to be joined with him, every man to make good his

charge, according to the occasion. In which distribution, Sir Charles Davers was then named to the Presence and to the great chamber, where he was appointed, when time should be, to seize upon the halberds of the guard; Sir John Davies to the Hall; and Sir Christopher Blunt to the utter gate; these seeming to them the three principal wards of consideration. And that things being within the Court in a readiness, a signal should be given and sent to Essex to set forward from Essex House, being no great distance off. Whereupon Essex, accompanied with the noblemen of his party, and such as should be prepared and assembled at his house for that purpose, should march towards the Court; and that the former conspirators already entered should give correspondence to them without, as well by making themselves masters of the gates to give them entrance, as by attempting to get into their hand upon the sudden the halberds of the guard, thereby hoping to prevent any great resistance within, and by filling all full of tumult and confusion.

This being the platform of their enterprise, the second act of this tragedy was also resolved; which was, that my Lord should present himself to her Majesty as prostrating himself at her feet, and desire the remove of such persons as he called his enemies from about her. And after that my Lord had obtained possession of the Queen and the state, he should call his pretended enemies to a trial upon their lives, and summon a Parliament, and alter the government, and obtain to himself and his associates such conditions as seemed to him and them good.

There passed speech also in this conspiracy of possessing the City of London, which Essex himself, in his own particular and secret inclination, had ever a special mind unto: not as a departure or going from his purpose of possessing the Court, but as an inducement and preparative to perform it upon a surer ground. An opinion bred in him (as may be imagined) partly by the great overweening he had of the love of the citizens; but chiefly, in all likelihood, by a fear that although he should have prevailed in getting her Majesty's person into his hands for a time with his two or three hundred gentlemen, yet the very beams and graces of her Majesty's magnanimity and prudent carriage in such disaster working with the natural instinct of loyalty, which of course (when fury is over) doth ever revive in the hearts of subjects of any good blood or mind (such as his troop for the more part was

compounded of, though by him seduced and bewitched) would quickly break the knot, and cause some disunion and separation amongst them; whereby he might have been left destitute, except he should build upon some more popular number; according to the nature of all usurping rebels, which do ever trust more in the common people than in persons of sort or quality. And this may well appear by his own plot in Ireland, which was to have come with the choice of the army, from which he was diverted, as before is showed. So as his own courses inclined ever to rest upon the main strength of the multitude, and not upon surprises, or the combinations of a few.

But to return: These were the resolutions taken at that consultation, held by these five at Drury House some five or six days before the rebellion, to be reported to Essex, who ever kept in himself the binding and directing voice: which he did to prevent all differences that might grow by dissent or contradiction. And besides he had other persons (which were Cuffe and Blunt) of more inwardness and confidence with him than these (Southampton only excepted) which managed that consultation. And for the day of the enterprise, which is that must rise out of the knowledge of all the opportunities and difficulties, it was referred to Essex his own choice and appointment; it being nevertheless resolved that it should be some time before the end of Candlemas Term.

But this council and the resolutions thereof were in some points refined by Essex, and Cuffe, and Blunt: for first it was thought good, for the better making sure of the utter gate of the Court, and the greater celerity and suddenness, to have a troop at receipt to a competent number, to have come from the Mews, where they should have been assembled without suspicion in several companies, and from thence cast themselves in a moment upon the Court gate, and join with them which were within, while Essex with the main of his company were making forward. Sir Henry Nevill's declaration.

It was also thought fit, that because they would be commonwealth's men and foresee that the business and service of the public state should not stand still, they should have ready at Court and at hand certain other persons to be offered to supply the offices and places of such her Majesty's counsellors and servants as they should demand to be removed and displaced.

But chiefly it was thought good, that the assembling of their

companies together should be upon some plausible pretext: both to make divers of their company, that understood not the depth of the practices, the more willing to follow them[1] and to engage themselves; and to gather them together the better without peril of detecting or interrupting: and again, to take the Court the more unprovided, without any alarm given. So as now there wanted nothing but the assignation of the day: which nevertheless was resolved indefinitely to be before the end of the term, as was said before, for the putting in execution of this most dangerous and execrable treason. But God, who had in his divine providence long ago cursed this action with the curse that the psalm speaketh of, *That it should be like the untimely fruit of a woman, brought forth before it came to perfection*, so disposed above, that her Majesty, understanding by a general churme[3] and muttering of the great and universal resort to Essex House, contrary to her princely admonition, and somewhat differing from his former manner (as there could not be so great fire without some smoke), upon the seventh of February, the afternoon before this rebellion, sent to Essex House Mr. Secretary Harbert, to require him to come before the Lords of her Majesty's Council, then sitting in counsel at Salisbury Court, being the Lord Treasurer's house: where it was only intended that he should have received some reprehension for exceeding the limitations of his liberty granted to him in a qualified manner, without any intention towards him of restraint; which he, under colour of not being well, excused to do: but his own guilty conscience applying it that his trains were discovered, doubting peril in any further delay, determined to hasten his enterprise, and to set it on foot the next day.

The confession of Blunt, 3.[2]

But then again, having some advertisement in the evening that the guards were doubled at Court, and laying that to the message he had received overnight, and so concluding that alarm was taken at Court, he thought it to be in vain to think of the enterprise of the Court by way of surprise: but that now his only way was to come thither in strength, and to that end first to attempt the City. Wherein he did but fall back to his own former opinion, which he had in no sort neglected, but had for-

[1] In the original there is a semicolon after "them," and a comma after "themselves;" which must be a misprint.

[2] See the MS.; of which a copy will be given in the given in the notes.

[3] *charme* in the original. Compare Hist. of Hen. VII., Works, VI. 195.

merly made some overtures to prepare the City to take his part; relying himself (besides his general conceit that himself was the darling and minion of the people and specially of the City) more particularly upon assurance given of Thomas Smith, then sheriff of London, a man well beloved amongst the citizens, and one that had some particular command of some of the trained forces of the City, to join with him. Having therefore concluded upon this determination, now was the time to execute in fact all that he had before in purpose digested.

First therefore he concluded of a pretext which was ever part of the plot, and which he had meditated upon and studied long before. For finding himself (thanks be to God) to seek, in her Majesty's government, of any just pretext in matter of state, either of innovation, oppression, or any unworthiness: as in all his former discontentments he had gone the beaten path of traitors, turning their imputation upon counsellors and persons of credit with their sovereign, so now he was forced to descend to the pretext of a private quarrel; giving out this speech, how that evening, when he should have been called before the Lords of the Council, there was an ambuscado of musketers placed upon the water by the device of my Lord Cobham and Sir Walter Raleigh, to have murdered him by the way as he passed. A matter of no probability; those persons having no such desperate estates or minds, as to ruin themselves and their posterity by committing so odious a crime.

But contrariwise, certain it is Sir Ferdinando Gorge accused Blunt to have persuaded him to kill, or at least apprehend, Sir Walter Raleigh; the latter whereof Blunt denieth not, and asked Sir Walter Raleigh forgiveness at the time of his death. Confession of Sir Ferdinando Gorge.

But this pretext, being the best he had, was taken: and then did messages and warnings fly thick up and down to every particular nobleman and gentleman, both that evening and the next morning, to draw them together in the forenoon to Essex House, dispersing the foresaid fable, That he should have been murdered; save that it was sometime on the water, sometime in his bed, varying according to the nature of a lie. He sent likewise the same night certain of his instruments, as namely one William Temple,[1] his secretary, into the City, to disperse the same tale,

[1] There were two Temples, Edward and William. I suspect it was *Edward* who was employed in this service. See Additional Evidences, No. XI.

having increased it some few days before by an addition, That he should have been likewise murdered by some Jesuits to the number of four: and to fortify this pretext, and to make the more buzz of the danger he stood in, he caused that night a watch to be kept all night long towards the street, in his house. The next morning, which was Sunday, they came unto him of all hands, according to his messages and warnings. Of the nobility, the Earls of Rutland, Southampton, and the Lord Sands, and Sir Henry Parker, commonly called the Lord Mountegle; besides divers knights and principal gentlemen and their followers, to the number of some three hundreth. And also it being Sunday, and the hour when he had used to have a sermon at his house, it gave cause to some and colour to others to come upon that occasion. As they came, my Lord saluted and embraced, and to the generality of them gave to understand, in as plausible terms as he could, *That his life had been sought, and that he meant to go to the Court and declare his griefs to the Queen, because his enemies were mighty, and used her Majesty's name and commandment;* and desired their help to take his part; but unto the more special persons he spake high and in other terms, telling them *That he was sure of the City, and would put himself into that strength that her Majesty should not be able to stand against him, and that he would take revenge of his enemies.*

The confession of the Earl of Rutland.

All the while after eight of the clock in the morning, the gates to the street and water were strongly guarded, and men taken in and let forth by discretion of those that held the charge, but with special caution of receiving in such as came from Court, but not suffering them to go back without my Lord's special direction, to the end no particularity of that which passed there might be known to her Majesty.

About ten of the clock, her Majesty having understanding of this strange and tumultuous assembly at Essex House, yet in her princely wisdom and moderation thought to cast water upon this fire before it brake forth to further inconvenience: and therefore using authority before she would use force, sent unto him four persons of great honour and place, and such as he ever pretended to reverence and love, to offer him justice for any griefs of his, but yet to lay her royal commandment upon him to disperse his company, and upon them to withdraw themselves.

These four honourable persons, being the Lord Keeper of the

great Seal of England, the Earl of Worcester, the Comptroller of her Majesty's household, and the Lord Chief Justice of England, came to the house, and found the gates shut upon them. But after a little stay, they were let in at the wicket; and as soon as they were within, the wicket was shut, and all their servants kept out, except the bearer of the seal. In the court they found the Earls with the rest of the company, the court in a manner full, and upon their coming towards Essex, they all flocked and thronged about them; whereupon the Lord Keeper in an audible voice delivered to the Earl the Queen's message, *That they were sent by her Majesty to understand the cause of this their assembly, and to let them know that if they had any particular cause of griefs against any persons whatsoever, they should have hearing and justice.*

The declaration of the Lord Keeper, the Earl of Worcester, the Lord Chief Justice, under their hands. The oath of the Lord Chief Justice *viva voce.* The declaration of the Earl of Worcester *viva voce.*

Whereupon the Earl of Essex in a very loud and furious voice declared, *That his life was sought,* and *that he should have been murdered in his bed,* and *that he had been perfidiously dealt withal;* and other speeches to the like effect. To which the Lord Chief Justice said, If any such matter were attempted or intended against him, it was fit for him to declare it, assuring him both a faithful relation on their part, and that they could not fail of a princely indifferency and justice on her Majesty's part.

To which the Earl of Southampton took occasion to object the assault made upon him by the Lord Gray: which my Lord Chief Justice returned upon him, and said, That in that case justice had been done, and the party was in prison for it.

Then the Lord Keeper required the Earl of Essex, that if he would not declare his griefs openly, yet that then he would impart them privately; and then they doubted not to give him or procure him satisfaction.

Upon this there arose a great clamour among the multitude: *Away, my Lord; they abuse you, they betray you; they undo you; you lose time.* Whereupon my Lord Keeper put on his hat, and said with a louder voice than before, *My Lord, let us speak with you privately, and understand your griefs; and I do command you all upon your allegiance to lay down your weapons and to depart.* Upon which words the Earl of Essex and all the rest, as disdaining commandment, put on their hats; and Essex somewhat abruptly went from him into the house, and the Counsellors

followed him, thinking he would have private conference with them as was required.

And as they passed through the several rooms, they might hear many of the disordered company cry, *Kill them, kill them;* and others crying, *Nay, but shop them up, keep them as pledges, cast the great seal out at the window;* and other such audacious and traitorous speeches. But Essex took hold of the occasion and advantage to keep in deed such pledges if he were distressed, and to have the countenance to lead them with him to the Court, especially the two great magistrates of justice and the great seal of England, if he prevailed, and to deprive her Majesty of the use of their counsel in such a strait, and to engage his followers in the very beginning by such a capital act as the imprisonment of Counsellors carrying her Majesty's royal commandment for the suppressing of a rebellious force.

And after that they were come up into his book-chamber, he gave order they should be kept fast, giving the charge of their custody principally to Sir John Davis, but adjoined unto him a warder, one Owen Salisbury, one of the most seditious and wicked persons of the number, having been a notorious robber, and one that served the enemy under Sir William Stanley, and that bare a special spleen unto my Lord Chief Justice; who guarded these honourable persons with muskets charged and matches ready fired at the chamber-door.

This done, the Earl (notwithstanding my Lord Keeper still required to speak with him) left the charge of his house with Sir Gilly Mericke; and using these words to my Lord Keeper, *Have patience for awhile, I will go take order with the Mayor and Sheriffs for the City, and be with you again within half an hour,* issued with his troop into London, to the number of two hundreth, besides those that remained in the house; choice men for hardiness and valour; unto whom some gentlemen and one nobleman did after join themselves.

But from the time he went forth, it seems God did strike him with the spirit of amazement, and brought him round again to the place whence he first moved.

For after he had once by Ludgate entered into the City, he never had so much as the heart or assurance to speak any set or confident speech to the people, (but repeated only over and over his tale as he passed by, *that he should have been murthered,*) nor

to do any act of foresight or courage; but he that had vowed he would never be cooped up more, cooped himself first within the walls of the City, and after within the walls of an house, as arrested by God's justice as an example of disloyalty. For passing through Cheapside, and so towards Smith's house, and finding, though some came about him, yet none joined or armed with him, he provoked them by speeches as he passed to arm, telling them, *They did him hurt and no good, to come about him with no weapons.*

The confession of the Earl of Rutland. The Lord Sandis.

But there was not in so populous a city, where he thought himself held so dear, one man, from the chiefest citizen to the meanest artificer or prentice, that armed with him: so as being extremely appalled, as divers that happened to see him then might visibly perceive in his face and countenance, and almost moulten with sweat, though without any cause of bodily labour but only by the perplexity and horror of his mind, he came to Smith's house the sheriff, where he refreshed himself a little and shifted him.

But the meanwhile it pleased God that her Majesty's directions at Court, though in a case so strange and sudden, were judicial and sound. For first there was commandment in the morning given unto the City, that every man should be in a readiness both in person and armour, but yet to keep within his own door, and to expect commandment; upon a reasonable and politic consideration, that had they armed suddenly in the streets, if there were any ill-disposed persons, they might arm on the one side and turn on the other, or at least if armed men had been seen to and fro, it would have bred a greater tumult, and more bloodshed; and the nakedness of Essex troop would not have so well appeared.

And soon after, direction was given that the Lord Burghley, taking with him the King of Heralds, should declare him traitor in the principal parts of the City; which was performed with good expedition and resolution, and the loss and hurt of some of his company. Besides that, the Earl of Cumberland, and Sir Thomas Gerard, Knight-marshal, rode into the City, and declared and notified to the people that he was a traitor: from which time divers of his troop withdrawing from him, and none other coming in to him, there was nothing but despair. For having stayed awhile, as is said, at Sheriff Smith's house, and there changing

The confession of the Earl of Rutland. Essex confession at the bar.

his pretext of a private quarrel, and publishing *That the realm should have been sold to the Infanta,* the better to spur on the people to rise, and [having] called and given commandment to have brought arms and weapons of all sorts, and been soon after advertised of the proclamation, he came forth in a hurry.

So having made some stay in Gracious Street, and being dismayed upon knowledge given to him that forces were coming forwards against him under the conduct of the Lord Admiral, the Lieutenant of her Majesty's forces, and not knowing what course to take, he determined in the end to go back towards his own house, as well in hope to have found the Counsellors there, and by them to have served some turn, as upon trust that towards night his friends in the City would gather their spirits together and rescue him, as himself declared after to M. Lieutenant of the Tower.

But for the Counsellors, it had pleased God to make one of the principal offenders his instrument for their delivery; who seeing my Lord's case desperate, and contriving how to redeem his fault and save himself, came to Sir John Davis and Sir Gilly Mericke, as sent from my Lord; and so procured them to be released.

But the Earl of Essex, with his company that was left, thinking to recover his house, made on by land towards Ludgate; where being resisted by a company of pikemen and other forces, gathered together by the wise and diligent care of the Bishop of London, and commanded by Sir John Luson, and yet attempting to clear the passage, he was with no great difficulty repulsed. At which encounter Sir Christopher Blunt was sore wounded, and young Tracy slain, on his part; and one Waits on the Queen's part, and some other. Upon which repulse he went back and fled towards the waterside, and took boat at Queenhive, and so was received into Essex House at the watergate, which he fortified and barricado'd; but instantly the Lord Lieutenant so disposed his companies, as all passage and issue forth was cut off from him both by land and by water, and all succours that he might hope for were discouraged: and leaving the Earl of Cumberland, the Earl of Lincoln, the Lord Thomas Howard, the Lord Gray, the Lord Burghley, and the Lord Compton, Sir Walter Raleigh, Sir Thomas Gerrard, with divers others, before the house to landward, my Lord Lieutenant himself thought

good, taking with him the Lord of Effingham, Lord Cobham, Sir John Stanhope, Sir Robert Sidney, M. Foulk Grevill, with divers others, to assail the garden and banqueting-house on the waterside, and presently foreed the garden, and won to the walls of the house, and was ready to have assailed the house; but out of a Christian and honourable consideration, understanding that there were in the house the Countess of Essex, and the Lady Rieh, with their gentlewomen, let the Earl of Essex know by Sir Robert Sidney, that he was eontent to suffer the ladies and gentlewomen to eome forth. Whereupon Essex, returning the Lord Lieutenant thanks for the eompassion and eare he had of the ladies, desired only to have an hour's respite to make way for their going out, and an hour after to barrieado the plaee again. Whieh beeause it eould make no alteration to the hindranee of the serviee, the Lord Lieutenant thought good to grant. But Essex, having had some talk within of a sally, and despairing of the sueeess, and thinking better to yield himself, sent word that upon some eonditions he would yield.

But the Lord Lieutenant utterly refusing to hear of eapitulations, Essex desired to speak with my Lord, who thereupon went up elose to the house; and the late Earls of Essex and Southampton, with divers other lords and gentlemen their partakers, presented themselves upon the leads: and Essex said, he would not eapitulate, but entreat; and made three petitions. The first, *That they might be civilly used:* whereof the Lord Lieutenant assured them. The seeond, *That they might have an honourable trial:* whereof the Lord Lieutenant answered they needed not to doubt. The third, *That he might have Ashton a preacher with him in prison for the comfort of his soul:* whieh the Lord Lieutenant said he would move to her Majesty, not doubting of the matter of his request, though he eould not absolutely promise him that person.[1] Whereupon they all, with the eeremony amongst martial men aecustomed, eame down and submitted themselves and yielded up their swords, whieh was about ten of the elock at night; there having been slain in holding of the house, by musket-shot, Owen Salisbury, and some few more

[1] "Whereas the Earl of Essex desired to have a chaplain of his own sent unto him to give him sacrificial comfort, wherein the Lord Admiral hath moved her Majesty; but his own chaplain being evil at ease, Dr. Don, the Dean of Norwich, is sent unto him to attend there, for whose diet and lodging the Lieutenant of the Tower is to take order."—Letter to Lord Thomas Howard, Constable of the Tower of London. Feb. 16. Council Reg. Eliz. No. 17, fol. 83. I quote from a copy.

on the part of my Lord, and some few likewise slain and hurt on the Queen's part: and presently, as well the Lords as the rest of their confederates of quality were severally taken into the charge of divers particular lords and gentlemen, and by them conveyed to the Tower and other prisons.

So as this action, so dangerous in respect of the person of the leader, the manner of the combination, and the intent of the plot, brake forth and ended within the compass of twelve hours, and with the loss of little blood, and in such sort as the next day all courts of justice were open, and did sit in their accustomed manner; giving good subjects and all reasonable men just cause to think, not the less of the offenders' treason, but the more of her Majesty's princely magnanimity and prudent foresight in so great a peril; and chiefly of God's goodness, that hath blessed her Majesty in this, as in many things else, with so rare and divine felicity.

THE EFFECT OF THE EVIDENCE

GIVEN AT THE SEVERAL ARRAIGNMENTS OF THE LATE EARLS OF ESSEX AND SOUTHAMPTON, BEFORE THE LORD STEWARD; AND OF SIR CHRISTOPHER BLUNT, AND SIR CHARLES DAVERS, AND OTHERS, BEFORE GREAT AND HONOURABLE COMMISSIONERS OF OYER AND DETERMINER: AND OF THE

ANSWERS AND DEFENCES

WHICH THE SAID OFFENDERS MADE FOR THEMSELVES; AND

THE REPLIES

MADE UPON SUCH THEIR DEFENCES:
WITH SOME OTHER CIRCUMSTANCES OF THE PROCEEDINGS, AS WELL AT THE SAME ARRAIGNMENTS AS AFTER.

Some question was made by the Earl of Essex whether he might challenge any of the Peers. But answer was made by the Judges that the Law had that reputation of the Peers that it trusted them both without oath and challenge.

THE two late Earls of Essex and Southampton were brought to their trial the nineteenth of February, eleven days after the rebellion. At which trial there passed upon them twenty-five Peers, a greater number than hath been called in any former precedent.[1] Amongst whom her Majesty did not forbear to use many that were of near alliance and blood to the Earl of Essex, and some others that had their sons and heirs-apparent that were of his company and followed him in the open action of rebellion. The Lord Steward then in commission (according to the solemnity in such trials received) was the Lord Buckhurst, Lord High Treasurer, who with gravity and temperance directed the evidence, and moderated, and gave the judgment. There was also an assistance of eight Judges, the three chief, and five others. The hearing was with great patience and liberty: the ordinary course not being held, to silence the prisoners till the whole state of the evidence was given in; but they being suffered to answer articulately to every branch of the evidence, and sometimes to every particular deposition, whensoever they offered to speak. And not so only, but they were often spared to be inter-

[1] Mr. Jardine (Criminal Trials, p. 384) observes that this is a mistake, and quotes three precedents in which the number was equal or greater. The error does not appear to be of any consequence.

rupted, even in their digressions, and speeches not much pertinent to their cause. And always when any doubt in law was moved, or when it was required either by the prisoners or the Peers, the Lord Steward required the Judges to deliver the law: who gave their opinions severally, not barely yea or no, but at large with their reasons.

In the indictment were not laid or charged the treasons of Ireland, because the greatest matter, which was the design to bring over the army of Ireland, being not then confessed nor known, it was not thought convenient to stuff the indictment with matters which might have been conceived to be chiefly gathered by curious inquisition, and grounded upon report or presumption, when there was other matter so notorious. And besides, it was not unlikely that in his case, to whom many were so partial, some (who would not consider how things came to light by degrees) might have reported that he was twice called in question about one offence. And therefore the late treasons of his rebellion and conspiracy were only comprehended in the indictment, with the usual clauses and consequents in law, of compassing the Queen's death, destruction, and deprivation, and levying war, and the like.

The Evidence consisted of two parts: *the plot of surprising her Majesty's person in Court, and the open rebellion in the City.*

The plot was opened according to the former narration, and proved by the several confessions of four witnesses, fully and directly concurring in the point; Sir Christopher Blunt, Sir Charles Davers, Sir John Davies, and Sir Ferdinando Gorge. Of which number, though Sir Christopher Blunt were not at the council held at Drury House, no more than Essex himself was, yet he was privy to that which passed. Sir Ferdinando Gorge being prisoner in the Gate House, near the place of trial, was (at the request of the Earl of Essex) brought thither, and avouched *vivâ voce* his confession in all things.

And these four proved all particularities of surprising the Court, and the manner of putting the same in execution, and the distributing and naming of the principal persons and actors to their several charges, and the calling of my Lord's pretended enemies to trial for their lives, and the summoning of a Parliament, and

the altering of the government. And Sir Christopher Blunt, and Sir John Davis from Sir Christopher Blunt, did speak to the point of bringing in a toleration of the Catholic religion.

For the overt rebellion in the City itself, it was likewise opened according to the former narration, and divided itself naturally into three parts.

First, the imprisonment of the Counsellors, bringing her Majesty's royal commandment to them, upon their allegiance, to disperse their forces. Secondly, the entering the City, and the stirring of the people to rise, as well by provoking them to arm as by giving forth the slanders that the realm was sold to the Spaniard, and the assailing of the Queen's forces at Ludgate. And thirdly, the resistance and keeping of the house against her Majesty's forces under the charge and conduct of the Lord Lieutenant.

And albeit these parts were matters notorious, and within almost every man's view and knowledge; yet, for the better satisfaction of the Peers, they were fully proved by the oath of the Lord Chief Justice of England, being there present, *vivâ voce*, and the declaration of the Earl of Worcester, being one of the Peers, likewise *vivâ voce*, touching so much as passed about the imprisonment of themselves and the rest; and by the confessions of the Earl of Rutland, the Lord Sands, the Lord Cromwell, and others.

The defence of the late Earl of Essex, touching the plot and consultation at Drury House, was: *That it was not proved that he was at it: And that they could show nothing proving his consent or privity, under his hand.*

Touching the action in the City, he justified the pretext of the danger of his life to be a truth. He said that his speech that the realm should have been sold to the Infanta of Spain, was grounded upon a report he had heard, that Sir Robert Cecil should say privately, *That the Infanta's title to the crown (after her Majesty) was as good as any other.* He excused the imprisonment of the Counsellors to have been against his mind, forced upon him by his unruly company. He protested he never intended in his heart any hurt to her Majesty's person; That he did desire to secure his access to her, for which purpose he

thought to pray the help of the City, and that he did not arm his men in warlike sort, nor struck up no drum, nor the like.

The defence of the late Earl of Southampton to his part in the plot and consultation at Drury House, was: *That it was a matter debated, but not resolved nor concluded; and that the action which was executed was not the action which was consulted upon.* And for the open action in the City, he concurred with Essex, with protestation *of the clearness of his mind for any hurt to the Queen's person: and that it was but his affection to my Lord of Essex that had drawn him into the cause.* This was the substance and best of both their defences. Unto which the reply was.

DEFENCE.

To the point, *That the late Earl of Essex was not at the consultation at Drury House.*

REPLY.

It was replied, that it was proved by all the witnesses, that that consultation was held by his special appointment and direction, and that both the list of the names and the principal articles were of his own handwriting. And whereas he said they could not be showed extant under his hand; it was proved by the confession of my Lord of Rutland, and the Lord Sands, that he had provided for that himself. For after he returned out of the City to his own house, he burned divers papers which he had in a cabinet, because (as himself said) they should tell no tales.

DEFENCE.

To the point which Southampton alleged, *That the consultation at Drury House, upon the list and articles in writing, was not executed.*

REPLY.

It was replied, that both that consultation in that manner held, if none other act had followed, was treason: and that the rebellion following in the City, was not a desisting from the other plot, but an inducement and pursuance of it; their meaning being plain on all parts, that after they had gotten the aid of the City they would have gone and possessed the Court.

DEFENCE.

To the point, *That it was a truth that Essex should have been assailed by his private enemies.*

REPLY.

First, he was required to deliver who it was that gave him the advertisement of it; because otherwise it must light upon himself, and he thought his own invention: whereunto he said, that he would name no man that day.

Then it was showed how improbable it was, considering that my Lord Cobham and Sir Walter Raleigh were men whose estates were better settled and established than to overthrow their fortunes by such a crime.

Besides, it was showed how the tale did not hang together, but varied in itself, as the tale of the two judges did, when one said, Under the mulberry-tree, and another said, Under the fig-tree. So, sometimes it was, That he should have been murdered in his bed, and sometimes upon the water, and sometimes it should have been performed by Jesuits some days before.

Thirdly, it was asked what reference the going into the City for succour against any his private enemies had to the imprisoning of the Lord Keeper and the Lord Chief Justice, persons that he pretended to love and respect, and the Earl of Worcester his kinsman, and Master Comptroller his uncle; and the publishing to the people that the realm should have been sold to the Spaniard.

And lastly, it was said that these were the ancient footsteps of former traitors, to make their quarrel as against their private enemies, because God unto lawful kings did ever impart such beams of his own glory, as traitors could not look straight upon them, but ever turned their pretences against some about them. And that this action of his resembled the action of Pisistratus of Athens, that proceeded so far in this kind of fiction and dissimulation, as he lanced his own body, and came hurt and wounded before the people, as having been assailed by his private enemies, and by colour thereof obtained a guard about his person, by help of whom he after usurped upon the state.

DEFENCE.

To the point that he heard it reported *Mr. Secretary should say, That the Infanta's title to the crown (after her Majesty) was as good as any other.*

REPLY.

Upon this his allegation, Mr. Secretary, standing out of sight

in a private place, only to hear, (being much moved with so false and foul an accusation) came suddenly forth, and made humble request to the Lord Steward that he might have the favour to answer for himself. Which being granted him, in respect of the place he carrieth, (after a bitter contestation on his part with the Earl, and a serious protestation of his alienation of heart from the Spanish nation in any such condition,) he still urged the Earl to name the reporter, that all the circumstances might be known. But the Earl still warily avoiding it, Mr. Secretary replied, that seeing he would allege no author, it ought to be reputed his own fiction. Whereupon the Earl of Essex said, though his own conscience was a sufficient testimony to himself that he had not invented any untruth, yet he would affirm thus much for the world's further satisfaction in that behalf, that the Earl of Southampton also had heard so much reported of Mr. Secretary; but said still that he (for his part) would name nobody. Whereupon Mr. Secretary adjured the Earl of Southampton, by all former friendship (which had been indeed very great between them), that he would declare the person; which he did presently, and said it was Mr. Comptroller. At which speech Mr. Secretary straight took hold and said, That he was glad to hear him named of all others; for howsoever some malicious person might peradventure have been content to give credit to so injurious a conceit of him (especially such as were against the peace wherein he was employed, and for which the Earl of Essex had ever hated him, being ever desirous to keep an army on his own dependency), yet he did think no man of any understanding would believe that he could be so senseless as to pick out the Earl of Essex his uncle, to lay open to him his affection to that nation in a matter of so odious and pernicious consequence; and so did very humbly crave it at the hands of the Lord Steward and all the Peers that Mr. Comptroller might be sent for to make good his accusation.

Thereupon the Lord Steward sent a serjeant-at-arms for Mr. Comptroller, who presently came thither, and did freely and sincerely deliver, that he had only said (though he knew not well to whom) that Mr. Secretary and he walking in the garden at Court one morning about two years since, and talking casually of foreign things, Mr. Secretary told him that one Dolman had maintained in a book (not long since printed) that the Infanta

of Spain had a good title to the crown of England: which was all, as Mr. Comptroller said, that ever he heard Mr. Secretary speak of that matter. And so the weak foundation of that scandal being quickly discerned, that matter ended; all that could be proved being no other than that Mr. Comptroller had told another, who had after told the Earl of Essex, that Mr. Secretary said to him that such a book said so; which every man could say that hath read it, and no man better knew than the Earl himself, to whom it was dedicated.

DEFENCE.

To the point of both their protestations, *That they intended no hurt to her Majesty's person.*

REPLY.

First, the Judges delivered their opinions for matter in law upon two points: The one, *That in case where a subject attempteth to put himself into such strength as the king shall not be able to resist him, and to force and compel the king to govern otherwise than according to his own royal authority and direction, it is manifest rebellion.* The other, *That in every rebellion the law intendeth as a consequent the compassing the death and deprivation of the king, as foreseeing that the rebel will never suffer that king to live or reign which might punish or take revenge of his treason and rebellion.* And it was enforced by the Queen's Counsel, that this is not only the wisdom of the laws of the realm which so defineth of it, but it is also the censure of foreign laws, the conclusion of common reason, which is the ground of all laws, and the demonstrative assertion of experience, which is the warranty of all reason. For first, the civil law maketh this judgment, That treason is nothing else but *crimen læsæ majestatis*, or *diminutæ majestatis*, making every offence which abridgeth or hurteth the power and authority of the prince as an insult or invading of the crown and extorting the imperial sceptre. And for common reason, it is not possible that a subject should once come to that height as to give law to his sovereign, but what with insolency of the change and what with terror of his own guiltiness, he will never permit the king, if he can choose, to recover authority, nor, for doubt of that, to continue alive. And lastly, for experience, it is confirmed by all stories and examples, That the subject never obtained a superiority and command over

the king, but there followed soon after the deposing and putting of the king to death, as appeareth in our own chronicles in two notable particulars of two unfortunate kings; the one of Edward II., who when he kept himself close for danger, was summoned by proclamation to come and take upon him the government of the realm: but as soon as he presented himself was made prisoner, and soon after forced to resign, and in the end tragically murdered in Barkley Castle. And the other of King Richard II., who though the Duke of Hereford, after King Henry IV., presented himself before him with three humble reverences, yet in the end was deposed and put to death.

DEFENCE.

To the point of *not arming his men otherwise than with pistols, rapiers, and daggers,* it was replied.

REPLY.

That that course was held upon cunning, the better to insinuate himself into the favour of the City, as coming like a friend with an All hail, or kiss, and not as an enemy, making full reckoning that the City would arm him and arm with him; and that he took the pattern of his action from the day of the barricadoes at Paris, where the Duke of Guise entering the City but with eight gentlemen, prevailing with the city of Paris to take his part, as my Lord of Essex (thanks be to God) failed of the city of London, made the king (whom he thought likewise to have surprised) to forsake the town, and withdraw himself into other places, for his further safety. And it was also urged against him out of the confession of the Earl of Rutland and others, that he cried out to the citizens *That they did him hurt and no good, to come without weapons,* and provoked them to arm: and finding they would not be moved to arm with him, sought to arm his own troops.

This, point by point, was the effect of the reply. Upon all which evidence both the Earls were found guilty of treason by all the several voices of every one of the Peers, and so received judgment.

The Names of the Peers that passed upon the trial of the two Earls.

EARLS.

The Earl of
- Oxford.
- Shrewsbury.
- Darby.
- Cumberland.
- Worcester.
- Sussex.
- Hertford.
- Lincoln.
- Nottingham.

Viscount Bindon.

BARONS.

The Lord
- De la Ware.
- Morley.
- Cobham.
- Stafford.
- Gray.
- Lumley.
- Windsor.
- Rich.
- Darey de Chichey.
- Chandoys.
- Hunsdon.
- St. John de Bletso.
- Compton.
- Burghley.
- Howard of Walden.

The Names of the Judges that assisted the Court.

Lord Chief Justice.
Lord Chief Justice of the Common Pleas.
Lord Chief Baron.
Justice Gawdy.
Justice Fenner.
Justice Walmsly.
Baron Clerke.
Justice Kingsmill.

SOME PARTICULARITIES

OF THAT WHICH PASSED AFTER THE ARRAIGNMENT OF THE LATE EARLS, AND AT THE TIME OF THE SUFFERING OF THE EARL OF ESSEX.

But the Earl of Essex, finding that the consultation at Drury House and the secret plots of his premeditated and prepensed treasons were come to light contrary to his expectation, was touched even at his parting from the bar with a kind of remorse; especially because he had carried the manner of his answer rather in a spirit of ostentation and glory than with humility and penitence: and brake out in the hall, while the Lords were in conference, into these words; *That seeing things were thus carried, he would ere it be long say more than yet was known.* Which good motion of his mind being, after his coming back to the Tower, first cherished by M. D. of Norwich, but after wrought on by the religious and effectual persuasions and exhortations of Mr. Abdie Ashton his chaplain, the man whom he made suit by name to have with him for his soul's health, as one that of late time he had been most used unto and found most comfort of; comparing it, when he made the request, to the case of a patient, that in his extremity would be desirous to have that physician that was best acquainted with his body; he sent word the next day to desire to speak with some of the principal Counsellors, with whom he desired also that particularly Mr. Secretary might come for one. Upon which his request, first the Lord Admiral and Mr. Secretary, and afterwards at two several times the Lord Keeper of the Great Seal, the Lord High Treasurer, the Lord High Admiral, and Master Secretary repaired unto him: before whom, after he had asked the Lord Keeper forgiveness for restraining him in his house, and Master Secretary for having wronged him at the bar concerning the matter of the Infanta, with signification of his earnest desire to be reconciled to them, which was accepted with all Christian charity and humanity; he proceeded to accuse heavily most of his confederates for carrying malicious minds to the state, and vehemently charged Cuffe his

man to his own face, to have been a principal instigator of him in his treasons; and then disclosed how far Sir Henry Nevill, her Majesty's late ambassador, was privy to all the conspiracy; of whose name till then there had not been so much as any suspicion. And further, at the Lords' first coming to him (not sticking to confess that he knew her Majesty could not be safe while he lived) did very earnestly desire this favour of the Queen, that he might die as privately as might be.

The testimony of the three divines under their hands.

And the morning before his execution, there being sent unto him, for his better preparation, Master Doctor Mountford, and Master Doctor Barlow, to join with Master Abdy Ashton his chaplain, he did in many words thank God that he had given him a deeper insight into his offence, being sorry he had so stood upon his justification at his arraignment: since which time he said he was become a new man, and heartily thanked God also that his course was by God's providence prevented. For, if his project had taken effect, God knoweth (said he) what harm it had wrought in the realm.

He did also humbly thank her Majesty, that he should die in so private manner (for he suffered in the Tower-yard, and not upon the hill, by his own special suit) lest the acclamation of the people (for those were his own words) might be a temptation to him: adding, That all popularity and trust in man was vain, the experience whereof himself had felt; and acknowledged further unto them, that he was justly and worthily spewed out (for that was also his own word) of the realm, and that the nature of his offence was like a leprosy that had infected far and near. And so likewise at the public place of his suffering, he did use vehement detestation of his offence, desiring God to forgive him his great, his bloody, his crying, and his infectious sin: and so died very penitently, but yet with great conflict (as it should seem) for his sins. For he never mentioned nor remembered there wife, children, or friend, nor took particular leave of any that were present, but wholly abstracted and sequestered himself to the state of his conscience and prayer.

THE EFFECT

OF THAT WHICH PASSED AT THE ARRAIGNMENTS OF SIR CHRISTOPHER BLUNT, SIR CHARLES DAVERS, SIR JOHN DAVIES, SIR GILLIE MERICKE, AND HENRY CUFFE.

The fifth of March, by a very honourable commission of Oier and Determiner, directed to the Lord High Admiral, the Lord Chamberlain, Master Secretary, the Lord Chief Justice of England, Master Chancellor of the Exchequer, Master Secretary Herbert, with divers of the Judges, the Commissioners sitting in the Court of the Queen's Bench, there were arraigned and tried by a jury both of Aldermen of London, and other gentlemen of good credit and sort, Sir Christopher Blunt, Sir Charles Davers, Sir John Davies, Sir Gillie Merieke, and Henry Cuffe. The three first whereof, before they pleaded, asked this question of the Judges: *Whether they might not confess the indictment in part, and plead not guilty to it in the other part.* But being resolved by the Judges that their pleading must be general, they pleaded Not guilty; as did likewise the other two, without any sueh question asked. The reason of that question was, as they confessed, in respect of the clause laid in the indictment, *That they intended and compassed the death and destruction of the Queen's Majesty:* unto whose person (although they confessed at the bar, as they had done in their examinations, that their meaning was to come to her in such strength as they should not be resisted, and to require of her divers conditions and alterations of government, such as in their confessions are expressed) nevertheless they protested they intended no personal harm to herself. Whereupon (as at the arraignment of the two Earls) so then again the Judges delivered the rule of the law; that the wisdom and foresight of the laws of this land maketh this judgment, *That the subject that rebelleth or riseth in forcible manner to overrule the royal will and power of the king, intendeth to deprive the king both of crown and life: and that the law judgeth not of the fact by the intent, but of the intent by the fact.* And the Queen's Counsel did again enforce that point, setting forth that it was no mystery or quiddity

of the common law, but it was a conclusion infallible of reason and experience; for that the crown was not a ceremony or garland, but consisted of pre-eminence and power.

And therefore, when the subject will take upon him to give law to the king, and to make the power sovereign and commanding to become subject and commanded; such subject layeth hold of the crown, and taketh the sword out of the king's hands. And that the crown was fastened so close upon the king's head, that it cannot be pulled off, but that head and life and all will follow: as all examples, both in foreign stories and here at home, do make manifest. And therefore, when their words did protest one thing and their deeds did testify another, they were but like the precedent of the protestation used by Manlius the lieutenant of Catiline, that conspired against the state of Rome, who began his letter to the senate with these words: *Deos hominesque testor, Patres conscripti, nos nihil aliud,* etc.

And it was said further, that admitting their protestations were so far true, that they had not at that time in their minds a formed and distinct cogitation to have destroyed the Queen's person; yet nothing was more variable and mutable than the mind of man, and specially *Honores mutant mores:* when they were once aloft, and had the Queen in their hands, and were Peers in my Lord of Essex his Parliament, who could promise of what mind they would then be? especially when my Lord of Essex at his arraignment had made defence of his first action of imprisoning the Privy Counsellors, by pretence that he was inforced to it by his unruly company. So that if themselves should not have had, or would not seem to have had, that extreme and devilish wickedness of mind, as to lay violent hands upon the Queen's sacred person; yet what must be done to satisfy the multitude and secure their party, must be then the question. Wherein the example was remembered of Richard III., who (though he were king in possession, and the rightful inheritors but infants) could never sleep quiet in his bed till they were made away. Much less would a Catilinary knot and combination of rebels (that did rise without so much as the fume of a title) ever endure that a Queen that had been their sovereign, and had reigned so many years in such renown and policy, should be longer alive than made for their own turn. And much speech was used to the same end. So that in the end all those three at the bar said, That now they

were informed, and that they descended into a deeper consideration of the matter, they were sorry they had not confessed the indictment. And Sir Christopher Blunt, at the time of his suffering, discharged his conscience in plain terms, and said publicly before all the people, that he saw plainly with himself, That if they could not have obtained all that they had would, they must have drawn blood even from the Queen herself.

The confession of Blunt at his death, which is set down in the end.

The evidence given in against them three, was principally their own confessions, charging every one himself and the other, and the rest of the evidence used at the arraignment of the late Earls and mentioned before: save that because it was perceived that that part of the charge would take no labour nor time, being plain matter and confessed; and because some touch had been given in the proclamation of the treasons of Ireland; and chiefly because Sir Christopher Blunt was Marshal of the army in Ireland, and most inward with my Lord in all his proceedings there; and not so only, but further in the confession of Thomas Lee it was precisely contained, *That he knew the Earl of Essex and Tyrone, and Blunt the Marshal, to be all one, and to run one course;* it was thought fit to open some part of the treasons of Ireland, such as were then known. Which very happily gave the occasion for Blunt to make that discovery of the purpose to have invaded the realm with the army of Ireland: which he then offered, and afterwards uttered, and in the end sealed with his blood, as is hereafter set down.

Against Cuffe was given in evidence, both Sir Charles Davers' confession, who charged him, when there was any debating of the several enterprises which they should undertake, that he did ever bind firmly and resolutely for the Court: and the accusation under the Earl's hand, avouched by him to his face, that he was a principal instigator of him in his treasons: but especially a full declaration of Sir Henry Nevill's, which describeth and plaineth[1] forth the whole manner of his practising with him.

The fellow, after he had made some introduction by an artificial and continued speech, and some time spent in sophistical arguments, descended to these two answers: the one, *For his being within Essex House that day, the day of the rebellion, they might as well charge a lion within a grate with treason, as him; And for the consultation at Drury House, it was no more treason*

[1] So in the original. Probably *painteth*.

than the child in the mother's belly is a child. But it was replied, that for his being in the house, it was not compulsory, and that there was a distribution in the action, of some to make good the house and some to enter the city, and the one part held correspondent to the other, and that in treasons there were no accessaries, but all principals.

And for the consultation at Drury House, it was a perfect treason in itself, because the compassing of the king's destruction, which by judgment of law was concluded and implied in that consultation, was treason in the very thought and cogitation, so as that thought be proved by an overt act: and that the same consultation and debating thereupon was an overt act, though it had not been upon a list of names and articles in writing; much more being upon matter in writing.

And again, the going into the City was a pursuance and inducement of the enterprise to possess the Court, and not a desisting or departure from it.

And lastly, it was ruled by the Judges for law, *That if many do conspire to execute treason against the prince in one manner, and some of them do execute it in another manner, yet their act (though differing in the manner) is the act of all them that conspire, by reason of the general malice of the intent.*

Against Sir Gilly Merrick, the evidence that was given, charged him chiefly with the matter of the open rebellion, that he was as captain or commander over the house, and took upon him charge to keep it and make it good as a place of retreat for those which issued into the City, and fortifying and barricadoing the same house, and making provision of muskets, powder, pellets, and other munition and weapons for the holding and defending of it, and as a busy, forward, and noted actor in that defence and resistance which was made against the Queen's forces brought against it by her Majesty's Lieutenant.

And further to prove him privy to the plot, it was given in evidence, that some few days before the rebellion, with great heat and violence he had displaced certain gentlemen lodged in an house fast by Essex House, and there planted divers of my Lord's followers and complices, all such as went forth with him in the action of rebellion.

That the afternoon before the rebellion, Merricke, with a great company of others that afterwards were all in the action, had

procured to be played before them the play of deposing King Richard II.

Neither was it casual, but a play bespoken by Merrick.

And not so only, but when it was told him by one of the players, that the play was old, and they should have loss in playing it because few would come to it: there were forty shillings extraordinary given to play it, and so thereupon played it was.

So earnest he was to satisfy his eyes with the sight of that tragedy, which he thought soon after his Lord should bring from the stage to the state, but that God turned it upon their own heads.

¶ *The speeches of Sir Christopher Blunt at his execution, are set down as near as they could be remembered, after the rest of the confessions and evidences.*

THE CONFESSIONS AND OTHER EVIDENCE.

Here follow the voluntary confessions themselves, such as were given in evidence at both the several arraignments, taken forth word for word out of the originals. Whereby it may appear how God brought matters to light at several times and in several parts, all concurring in substance. And with them other declarations and parts of the evidence.

The Confession of THOMAS LEE, *taken the* 14*th of February*, 1600, *before Sir John Peyton, Lieutenant of the Tower; Roger Wilbraham, Master of the Requests; Sir Anthony Saintleger, Master of the Rolls in Ireland; and Thomas Fleming, her Majesty's Solicitor-General.*[1]

This examinate saith, that Tyrone sent a message to this examinate by James Knowd (whom this examinate by the Marshal's warrant in writing had sent to Tyrone before himself went to Tyrone) that if the Earl of Essex would follow his plot, he would make him the greatest man that ever was in England, and that when Essex and Tyrone should have conferenee together, for his assuranee unto the Earl of Essex, Tyrone would deliver his eldest son in pledge to the Earl. And with this message this examinate made the Earl of Essex aequainted before his coming to this examinate's house, at that time when this examinate was sent to Tyrone.

This examinate sayeth, he knew that Essex, Tyrone, and the Marshal Sir Christopher Blunt, were all one, and held all one course.

THOMAS LEE.

Exam. per JOHN PEYTON.
ROGER WILBRAHAM.
ANTHONY SAINTLEGER.
THOMAS FLEMING.

[1] The original of this is in the State Paper Office; but this is only a small part

The Declaration of SIR WILLIAM WARREN, 3 *Octobris*, 1599.[1]

The Earl of Essex came the same day to the Court in England.

The said Sir William came to Armagh the last Friday, being the 28 of September: from thence he sent a messenger in the night to Tyrone, to Dungannon, signifying his coming to Armagh, as aforesaid, and that the next morning he would meet Tyrone at the fort of Blackwater: where accordingly the said Tyrone met with him; and after other speeches, by further discourse the said Tyrone told the said Sir William, and delivered it with an oath, that within these two months he should see the greatest alteration, and the strangest, that he the said Sir William could imagine, or ever saw in his life: and said[2] that he hoped, before it were long, that he the said Tyrone should have a good share in England: which speeches of the alteration Tyrone reiterated two or three several times.

WILLIAM WARREN.

Certified from the Council of Ireland to the Lords of the Council here.

The Declaration of THOMAS WOOD, 20 *Januarii*, 1599, *taken before the Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary; and Sir J. Fortescue, Chancellor of the Exchequer.*[3]

The said Wood saith, that happening to be with the Lord Fitzmorris, Baron of Licksnaw, at his house of Licksnaw, between Michaelmas and Allhallowtide last, the said Baron walking abroad with the said Wood, asked of him what force the Earl of Essex was of in England. He answered, he could not tell, but said he was beloved of the commonalty. Then said the Baron, that the Earl was gone for England, and had discharged many of the companies of Ireland, and that it was agreed that[4] he should be

of it. The rest touches upon the loyalty of Montjoy and the Earl of Ormond; for which reason, no doubt, it was withheld. See a copy of the whole confession: Additional Evidences, No. II.

[1] Original in S. P. O. This is an extract. It is divided into paragraphs, marked A, B, C, etc., in Coke's hand. But opposite to the passage from "By further discourse" to the end of the paragraph are some marks in another hand, which looks like Bacon's. Observe that there is no mark of *om.* against the omitted clause.

[2] Instead of "and said," the original has, "but what his meaning was thereby neither did he declare the same to the said Sir William, nor could he understand it; more than that Tyrone did say that he hoped," etc.

[3] Original in S. P. O.

[4] The original has, "and that if her Majesty were dead, he should," etc.

King of England, and Onele to be Viceroy of Ireland; and whensoever he should have occasion, and would send for them, Onele should send him eight thousand men out of Ireland. The said Wood asked the Baron, how he knew that? He answered, that the Earl of Desmond had written to him so much.[1]

The titulary Earl that is in rebellion.

THOMAS WOOD.

Confessed in the presence of THOMAS BUCKHURST.
NOTTINGHAM.
ROBERT CECIL.
JOHN FORTESCUE.

The Confession of JAMES KNOWD, *taken the* 16*th of February,* 1600, *before Sir Anthony Saintleger, Master of the Rolls in Ireland, and Roger Wilbraham, Master of the Requests.*[2]

Owney mac Rory having secret intelligence of the friendship between the Earl of Essex and Tyrone, wrote to Tyrone, desiring him to certify him thereof, whereby he might frame his course accordingly, and not do anything contrary to their agreement: which letter[3] myself did write by Owney's appointment (for then I was in credit with him). In which letter he also desired Tyrone to send him some munition. The letter, with instructions to that effect, was in my presence delivered to one Turlagh mac Davie o Kelly, a man of secrecy, sufficiency, and trust with Owney; and he carried it to Tyrone. Before whose return Owney grew suspicious of me, because I sometimes belonged to Mr. Bowen, and therefore they would not trust me, so as I could not see the answer: but yet I heard by many of their secret counsel, that the effect thereof was, *That the Earl of Essex should be King of England and Tyrone of Ireland.*[4]

Afterwards I met with Turlagh mac Davie, the messenger aforesaid, and asked him whether he brought an answer of the letter from Tyrone. He said he did, and delivered it to Owney. And then I asked him, what he thought of the wars? He told

[1] The original has "had sent him word."
[2] The original in S. P. O. in Knowd's own hand.
[3] In the margin of the original is written, in Knowd's hand, "As far as I remember, this letter was written after the Earl went into the North."
[4] A passage is omitted here, relating to the sending of ammunition by O'Neal (Tyrone) from the North, and to letters from Owney to O'Neal about Essex being king of England and Tyrone of Ireland. But it is merely a report of a report.

me he had good hope the last year, and had none this year: his reason was (as he said) that the Earl of Essex was to take their part, and they should aid him towards the conquest of England; and now they were hindered thereof by means of his apprehension.

I dwelling with the Tanist of the country (my mother's cousin-german) heard him speak sundry times, *That now the Earl of Essex had gotten one of the swords, he would never forego his government until he became King of England: which was near at hand.*[1]

I saw a letter which the Earl of Essex writ to Owney, to this effect: *That if Owney came to him, he would speak with him about that, which if he would follow, should be happy for him and his country.*

JAMES KNOWD.

Exam. per ANTHONY SAINTLEGER.
ROGER WILBRAHAM.

The Declaration of DAVID HETHRINGTON, *an ancient captain and servitor in Ireland,* 6 *January,* 1599, *taken before the Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary; and Sir John Fortescue, Chancellor of the Exchequer.*[2]

He, the said David Hethrington, riding into the edge of the county of Kildare, about the end of the first cessation [or thereabouts], fortuned to meet with one James Occurren, one of the horsemen of Master Bowen, provost-marshal of Lemster, who told him that the said James Occurren meeting lately with a principal follower of Owney mac Rory,[3] chief of the Moores, Owney's man asked him what news he heard of the Earl of Essex. To which James Occurren answered, that he was gone for England: whereunto he said, Nay, if you can tell me no news, I can tell you some;

[1] Another passage is omitted here, relating to secret reports among the rebels as to Essex's understanding with Tyrone, etc. But they appear to be of little weight: only talk.

Observe that neither of the passages thus omitted is marked in the original with *om.*

[2] Original in S. P. O. The declaration was made on the 16th of January, 1599, before Lord Buckhurst; and on the 13th "read over to him and confirmed" before Buckhurst, Nottingham, Cecil, and Fortescue.

[3] The original (S. P. O.) has, "who asking the said David what news," etc. etc., "Marry, said the said James, I meeting of late with a kern of Owney Macrorye," etc.

the Earl of Essex is now in trouble for us, for that he would do no service upon us; which he never meant to do, for he is ours, and we are his.[1]

DAVID HETHRINGTON.

Confessed in the presence of THO. BUCKHURST.
NOTTINGHAM.
RO. CECIL.
JO. FORTESCUE.

The First Confession of SIR FERDINANDO GORGE, *Knight, the* 16*th of February,* 1600. *Taken before Sir Thomas Egerton, Lord Keeper of the Great Seal; the Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, Lord High Admiral; and Sir Robert Cecil, Principal Secretary.*

He saith, the Earl of Essex wrote a letter to him in January, complaining his misfortune: that he desired his company, and desired his repair up to him by the 2nd of February. That he came to town on Saturday seven-night before the Earl's insurrection: and that the same night late he visited the Earl. Who, after compliments, told him that he stood on his guard, and resolved not to hazard any more commandments or restraints; that he desired him to rest him that night, and to repair unto him again, but in such sort as it might not be noted.

That he had been with the Earl two or three times that week; and on Saturday, being the 7th of February, the Earl told him that he had been sent for by the Lords, and refused to come: delivering further, that he resolved to defend himself from any more restraint.

He further saith, that it was in question, the same Saturday night, to have stirred in the night, and to have attempted the Court. But being demanded whether the Earl could have had sufficient company to have done anything in the night: he answered, that all the Earl's company were ready at one hour's warning, and had been so before, in respect that he had meant long before to stand upon his guard.

That it was resolved to have the Court first attempted; that

[1] The original states further that Piers Ovingdon ("brother of that Ovingdon which is with Tyrone in rebellion") told him (in the Castle of Dublin, "5 or 6 last past") that the speech of the kern of the enemy was very foul and odious touching my Lord of Essex, if their speech should be true; as namely that he was their friend, and should be king of Ireland.

the Earl had three hundred gentlemen to do it; but that he the said Ferdinando Gorge was a violent dissuader of him from that purpose, and the Earl most confident in the party of London, which he meant (upon a later dispute)[1] first to assure: and that he was also assured of a party in Wales, but meant not to use them until he had been possessed of the Court.

That the Earl and Sir Christopher Blunt understanding that Sir Walter Raleigh had sent to speak with him in the morning, the said Sir Christopher Blunt persuaded him either to surprise Sir Walter Raleigh or to kill him. Which when he utterly refused, Sir Christopher Blunt sent four shot after him in a boat.

That at the going out of Essex House gate, many cried out, *To the Court, to the Court.* But my Lord of Essex turned him about towards London.

That he meant, after possession of the Court, to call a Parliament, and therein to proceed as cause should require.

At that time of the consultation on Saturday night, my Lord was demanded what assurance he had of those he made account to be his friends in the City? Whereunto he replied, that there was no question to be made of that; for one, amongst the rest, that was presently in one of the greatest commands amongst them, held himself to be interessed in the cause (for so he phrased it), and was Colonel of a thousand men which were ready at all times; besides others that he held himself as assured of as of him, and able to make as great numbers. Some of them had at that instant (as he reported to us) sent unto him, taking notice of as much as he made us to know of the purpose intended to have entrapped him, and made request to know his pleasure.

FERD. GORGES.

Exam. per THO. EGERTON, C. S.
THOS. BUCKHURST.
NOTTINGHAM.
RO. CECIL.

The Second Confession of SIR FERDINANDO GORGE, *the* 18*th of February,* 1600. *All written of his own hand. And acknowledged in the presence of Sir Thomas Egerton, Lord Keeper of the Great Seal; the Lord Buckhurst, Lord High Treasurer;*

[1] The words within the parenthesis are not in the original.

the Earl of Nottingham, Lord High Admiral; and Sir Robert Cecil, Principal Secretary.

On Tuesday before the insurrection (as I remember) I was sent unto by my Lord of Essex, praying me to meet my Lord of Southampton, Sir Charles Davers, Sir John Davies, and other his friends at Drury House; where I should see a schedule of his friends' names, and projects to be disputed upon. Whither I came accordingly, and found the foresaid Earl, Sir Charles Davers, Sir John Davies, and one Master Littleton. The names were showed and numbered to be six score; Earls, Barons, Knights, and Gentlemen. The projects were these: Whether to attempt the Court, or the Tower, or to stir his friends in London first, or whether both the Court and Tower at an instant? [The most resolved both the Court and Tower were to be attempted at first.][1] I disliked that counsel. My reasons were, that I alleged to them: First, to attempt both with those numbers, was not to be thought on, because that was not sufficient; and therefore advised them to think of something else. Then they would needs resolve to attempt the Court, withal desired mine opinion.[2] But I prayed them first to set down the manner how [they thought] it might be done. Then Sir John Davies took ink and paper, and assigned[3] to divers principal men their several places. Some to keep the Gate, some to be in the Hall, some to be in the Presence, some in the Lobby, some in the Guard-chamber, others to come in with my Lord himself, who should have had the passage given him to the Privy Chamber, where he was to have presented himself to her Majesty.

[Having proceeded thus far, I was asked what I thought of it; my answer was, I utterly disliked that course, for besides the horror of it wherewith I found myself afflicted, I saw an impossibility for that means to accomplish it.[4] The means they did

[1] This is the passage which Mr. Jardine says was omitted as contradicting the story circulated by the Government, "that the insurrection in the City was planned and determined on in the consultations at Drury House." For the story really circulated by the Government, see above, p. 264.

[2] So MS. The Declaration has "withall desired in mine opinion:" the obvious correction of which would be, "*which* all desired in mine opinion."

[3] The original has, "began to assign."

[4] So in Mr. Jardine's copy, and I suppose in the original: for I collated them myself, and find no correction here. It happens unluckily that while these sheets are going through the press, the State Paper Office is closed to readers, the papers being in process of removal. I cannot therefore correct the proofs from the originals, as I intended.

urge to be sufficient, for as they seemed to assure themselves, the greatest resistance that was likely to be made was by the guard; and of many of them there was no doubt to be had, for they had been my Lord's servants. Notwithstanding I would not condescend to that course. Whereupon my Lord of Southampton in a kind of passion demanded this, "Shall we resolve upon nothing then? It is three months or more since we first undertook this." My reply was, "It was more than I knew." I was demanded, what I would then advise that my Lord should do? "If there be a necessity," I answered, "he must do something, let him stir his friends in the City of whom you say he is so well assured of." This was so evil liked of, as we brake up and resolved of nothing, but referred all to my Lord of Essex himself. After this I neither saw my Lord nor heard anything from him to any purpose until Saturday night, when he resolved the next day to put in practice the moving of his friends in the City on the occasion aforesaid; and of my opinion was Mr. Littleton.]

Ferd. Gorges.

Knowledged in the presence of Tho. Egerton, C. S.
Tho. Buckhurst.
Nottingham.
Ro. Cecil.

The Confession of Sir John Davies, *taken the* 18*th of February*, 1600, *before the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary; and John Herbert, Second Secretary of State.*[1]

Sir John Davies being demanded, how long before my Lord of Essex tumult he knew of such his purpose?

He answers, that he knew not directly of any meaning my Lord had, until the Sunday seven-night before, or thereabout.

Being demanded, what he knew then? He answered, that my Lord consulted to possess himself of the Court, at [some] such convenient time when he might find [the] least opposition. For executing of which enterprises, and of other affairs, he appointed my Lord of Southampton, Sir Charles Davers, Sir Ferdinando Gorges, and himself, to meet at Drury House, and there to consider of the same, and such other projects as his Lordship deli-

[1] Original in S. P. O.

vered them. And prineipally, for surprising of the Court, and for the taking of the Tower of London. About whieh business they had two meetings, whieh were five or six days[1] before the insurreetion.

[After whieh time, beeause these four could not conelude to his Lordship's liking, but were long about it, his Lordship resolved to set a course in all things himself.]

He further saith, that Sir Christopher Blunt was not at this consultation, but that he stayed and advised with my Lord himself about other things to him unknown. For that my Lord trusted several men in several businesses, and not all together.

Being demanded what was resolved in the opinions of these four before-named? He saith, that Sir Charles Davers was appointed to the Presenee Chamber, and himself to the Hall. And that my Lord was to determine himself, who should have guarded the Courtgate and the Watergate. And that Sir Charles Davers upon a signal or a watchword should have come out of the Presence into the Guard-chamber. And then some out of the Hall to have met him, and so have stept between the guard and their halberds; of which guard they hoped to have found but a dozen, or some sueh small number.

[He further saith that the Earl himself, with the Earl of Southampton and the Lords and others, should have eome by land, and so entered into the Court and passed to her Majesty's presenee without any great diffieulty.

Being asked what party or friends my Lord had in the Court itself, he thought that there were many that would have been found indifferent. And being asked of Reynell and Lovclaee, he thought that those would have been of that number of the indifferent.]

Being asked, whether he heard that sueh as my Lord misliked should have received any violence? He saith, that my Lord avowed the contrary: and that my Lord said, he would eall them to an honourable trial, and not use the sword.

Being demanded, whether my Lord thought his enemies to be Spanish, *bonâ fide*, or no? He saith, that he never heard any sueh speeeh; and if my Lord used any such, it came into his head on the sudden.

Being demanded, what party my Lord had in London? He

[1] "Was either the Sunday or Monday or the Monday or Tuesday:" Orig.

saith that the Sheriff Smith was his hope, as he thinketh. [He saith that John Littleton was at the first consultation, and he avoweth that in his conscience Rutland and Monteagle were not of his counsel, nor any of the other Lords.]

Being demanded, whether my Lord promised liberty of Catholic religion? He saith, that Sir Christopher Blunt did give hope of it.

[Being asked, whether he knew Sir Charles Davers to be a Catholic? He saith, he knew it not till that Sunday after dinner.]

JOHN DAVIS.

Exam. per NOTTINGHAM.
RO. CECIL.
J. HERBERT.[1]

The Confession of SIR CHARLES DAVERS, *taken the* 18*th of February, anno* 1600, *before Sir Thomas Egerton, Lord Keeper of the Great Seal; the Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, the Lord High Admiral; Lord Hunsdon, Lord Chamberlain; and Sir Robert Cecil, Principal Secretary.*[2]

He confesseth that before Christmas the Earl of Essex had bethought himself how he might secure his access unto the Queen in such sort as he might not be resisted; but no resolution determinately taken, until the coming up of this examinate, a little after Christmas.

And then he doth confess that the resolution was taken to

[1] The original paper is signed by Sir John Davis himself; but the names of the examiners appended are Waad, Ranulph Bellin (Randolph Bull?), Rychard Hyckman, John Muggins.

The explanation of the discrepancy probably is this. Sir John Davis is said to have been the first of the confederates who confessed the consultations at Drury House. "Sir J. D." (says George Carleton, writing to his brother Dudley, 25th March, 1601. S. P. O.) "is thought to have saved his life with telling first." If the first intimation of matter so important was made to one of the obscurer parties of commissioners, it would of course be communicated instantly to the Council, who would of course take it in hand themselves. Davis was no doubt re-examined by Nottingham, Cecil, and Herbert, and repeated before them his former answers.

The rumour mentioned by George Carleton is countenanced by a warrant which was sent to the keeper of Newgate on the 16th, "where Sir John Davyes desireth to have some sent unto him, to whom he may discover some matters concerning her Majesty's service, not only to admit the Lord Gray to have access unto him, but to see him brought to such house hereabouts as his Lordship shall appoint." Council Reg. Eliz. No. 17, fol. 83. But what came of this I do not know.

[2] Original in S. P. O.

possess himself of the Court: which resolution was taken agreeable to certain articles, which the Earl of Essex did send to the Earl of Southampton, this examinate, Sir Ferdinando Gorge, and Sir John Davies, written with the Earl's own hand. To which consultation (being held at Drury House, some four or five days before Sunday, that was the 8th of February) Littleton came in towards the end.

The points which the Earl of Essex projected under his hand were these.

First, whether it were fit to take the Tower of London. The reason whereof was this: that after the Court was possessed, it was necessary to give reputation to the action by having such a place to bridle the City, if there should be any mislike of their possessing the Court.

To the possessing of the Court, these circumstances were considered.

First, the Earl of Essex should have assembled all the noblemen and gentlemen of quality on his party; out of which number he should have chosen so many as should have possessed all the places of the Court where there might have been any likelihood of resistance. Which being done, the Earl of Essex, with divers noblemen, should have presented himself to the Queen.

The manner how it should have been executed, was in this sort. Sir Christopher Blunt should have had charge of the utter gate, as he thinketh. Sir Charles Davers, this examinate, with his company, should have made good the Presence, and should have seized upon the halberds of the guard. Sir John Davies should have taken charge of the Hall. All this being set, upon a signal given, the Earl should have come into the Court with his company.

[Being asked what should have been done with those that had been likely to have made resistance? He saith that they meant to have surprised the Captain of the Guard who was likely to have resisted them, either at his house or at the Court or where they could have found him.]

Being asked what they would have done after? He saith, They would have sent to have satisfied the City, and have called a Parliament [as he hath heard them talk].

These were the resolutions set down by the Earl of Essex of his own hand, after divers consultations.

[But upon Saturday at night, the 7th of February, this examinate finding that there was likelihood of resistance, whereupon mischief would have followed, which he ever shunned, he did dissuade the Earl when he came back from the Court that night to take any such course, and persuaded him rather to fly away with some hundred gentlemen into some part of the seaside or into Wales; the rather because he knew he might have commanded some ports there. But the Earl gave him no answer; but as he conceiveth the Earl was dissuaded from this counsel by Sir Christopher Blunt. And he protested, if he could have had pen, ink, and paper, which he often demanded of the Lieutenant, he would have set down thus much in writing, and protesteth he bare no malicious mind to any, but was drawn in by affection he beareth to the Earl of Southampton, to whom he ought his life.]

He saith, Cuffe was ever of opinion, that the Earl of Essex should come in this sort to the Court.

CHARLES DAVERS.

Exam. per TH. EGERTON, C. S.
TH. BUCKHURST.
NOTTINGHAM.
G. HUNSDON.
RO. CECIL.

The Second Confession of SIR CHARLES DAVERS, *taken the same day, and set down upon further calling himself to remembrance, under his own hand, before Sir Tho. Egerton, Lord Keeper of the Great Seal; Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary.*[1]

Some points of the articles which my Lord of Essex sent unto Drury House (as near as I can remember) were these: Whether both the Court and the Tower should be both attempted at one time? If both, what numbers should be thought requisite for either? if the Court alone, what places should be first possessed? by what persons? [with what numbers?]

[1] Original in S. P. O., headed, "The substance of the articles under the hand of the late Earl of Essex, that were sent unto Drury House to be considered of by the Earl of Southampton, Sir Charles Danvers, Sir John Davies, Sir Ferdinando Gorges, and others, extracted out of Sir Charles Danvers' confession set down all of his own hand." Docketed in Cecil's hand, "The abstract of Sir Charles Danvers' declaration. 2." The words "some points of" are not in the MS. They were inserted, I suppose, because all is not given.

And for those which were not to come into the Court beforehand, where and in what sort they might assemble themselves, with least suspicion, to come in with my Lord?

Whether it were not fit for my Lord, and some of the principal persons, to be armed with privy coats?

[I take it it was another article, whether it were not fit and being fit who were to be appointed to stay the Lord Admiral, Mr. Secretary, and the Captain of the Guard in their lodgings.]

CHARLES DAVERS.[1]

Knowledged in the presence of THO. EGERTON, C. S.
T. BUCKHURST.
NOTTINGHAM.
ROB. CECIL.

The First Confession of SIR CHRISTOPHER BLUNT, *examined the* 18*th of February,* 1600, *before Jo. Herbert, Second Secretary of Estate; and in the presence of Nich. Kempe, Counsellor at Law; William Waimarke, William Martin, Robert Andrews, Citizens; John Trevor, Surveyor of the Navy; and Thomas Thorney, his Surgeon.*[2]

He confesseth that the Earl of Essex sent Wiseman, about the 20th of January, to visit his wife, with letters of compliment, and to require him to come up unto him to London, and to settle his estate according as he had written unto him before some few days.

[Being examined touching the confederacy betwixt the Earl of Essex and the Earl of Tyrone, he answered that for his part he was not acquainted with it; but what was handled betwixt Ley and the Earl of Essex with Tyrone he knoweth not: adding further "What need you ask me of these things? You have my Lord of Essex among you."]

Being demanded to what end they went to the City, to join with such strength as they hoped for there; he confesseth it was to secure the Earl of Essex his life, against such forces as should be sent against him. And being asked, What, against the Queen's forces? he answered, That must have been judged afterwards [for the forces might be such as came by direction of

[1] The writer's name is not signed in the S. P. O. manuscript; but the names of the witnesses are all signed in their own hands.
[2] Original in S. P. O.

such of his enemies as might have had authority to command in the Queen's name, and would have done that without the Queen's privity.[1]]

But being further asked, Whether he did advise to come unto the Court overnight? He saith, No. For Sir Ferdinando Gorge did assure, that the alarum was taken of it at the Court, and the guards doubled.[2]

Being asked whether he thought any prince could have endured to have any subject make the City his mediator? or to gather force to speak for him? He saith, he is not read in stories of former times; but he doth not know but that in former times subjects have used force for their mediation.

Being asked, what should have been done by any of the persons that should have been removed from the Queen? He answered, that he never found my Lord disposed to shed blood; but that any that should have been found, should have had indifferent trial.[3]

Being asked upon his conscience, whether the Earl of Essex did not give him comfort, that if he came to authority, there should be a toleration for religion? He confesseth, he should have been to blame to have denied it. [For in the Earl's usual talk he was wont to say that he liked not that any man should be troubled for his religion.][4]

CHRISTOPHER BLUNT.

This was read unto Sir Christopher Blunt, and afterwards signed by him in the presence of us who are underwritten:

JO. HERBERT. ROB. ANDREWES.
NICHO. KEMPE. JO. TREVOR.
WIL. WAIMARKE. TH. THORNEY.
WIL. MARTIN.

[1] Mr. Jardine says, "It is obvious that these words qualify the preceding statement." So no doubt they do; but surely not to the advantage of Essex; for they admit that it was against *the Queen's forces*, and not against any private party, that they were preparing: the question being only whether their lawful commander might not be exceeding his instructions.

[2] He had added at first, "and besides he was of opinion that it would have made their action to have been more disliked, to have put the Queen in fear at that time of the night;" but a marginal note states, "These four lines he did desire might be stricken out when it was read."

[3] There is another passage omitted here, of which I have only this note: "In answer to a question concerning a speech of his to Sir Cary Reynell, he denies that he ever uttered it."

[4] This sentence is marked for omission in Coke's hand.

The Second Confession of Sir Christopher Blunt *the same day, viz. the* 18*th of February; taken before Mr. John Herbert, Second Secretary of Estate, and subscribed by him in the presence of Nicholas Kempe, Counsellor at Law; Thomas Thorney, his Surgeon; and William Martin, Robert Andrewes, and Randolph Bull, Citizens.*[1]

Sir Christopher Blunt (after the signing of this confession) being told that he did not deal plainly, excused himself by his former weakness, (putting us in mind that he said once before, that when he was able to speak he would tell all truth,) doth now confess; That four or five days before the Earl of Essex did rise, he did set down certain articles to be considered on, which he saw not, until afterward he was made acquainted with them, when they had amongst themselves disputed: which were these: [The Earl of Southampton, Sir Charles Davers, Sir Ferdinando Gorge, Sir John Davies, and Mr. Littleton.]

This weakness was in respect of his hurt received in charging her Majesty's forces at Ludgate

One of them was, *Whether the Tower of London should be taken?*

Another, *Whether they should not possess the Court, and so secure my Lord, and other men, to come to the Queen?*

For the first concerning the Tower, he did not like it; concluding that he that had the power of the Queen should have that. [He saith further that this matter was not fully resolved on because of the contrariety of opinions and accidents that happened after.]

He confesseth that upon Saturday night, when Mr. Secretary Herbert had been with the Earl, and that he saw some suspicion was taken, he thought it in vain to attempt the Court, and persuaded him rather to save himself by flight than to engage himself further, and all his company. And so the resolution of the Earl grew to go into the City, in hope (as he said before) to find many friends there. [He desireth as his last request to her Majesty that her Majesty will assure herself that if he could in twelve years have seen her gracious eyes, there is no man living could have drawn him into any offensive action.]

[1] Original in S. P. O. There is another paper of the same date, (docketed by Bacon, "The oath of the examiners of Sir Ch. Blunt,") containing an oath taken by Nicho. Kempe and Rob. Andrewes before Secretary Herbert, that their names were by them subscribed to the examination and confession of Sir Chr. Blunt, that day taken, to testify the same examination and confession to be made and subscribed by the hand of Sir Christ., and [in] the presence of them the said Nicholas and Robert and others.

He doth also say, that the Earl did usually speak of his purpose to alter the government: [but this examinate desireth it may not be set down, because it was no grace to the rest.]

CHR. BLUNT.

Exam. per JO. HERBERT.

Subscribed in the presence of

NICO. KEMPE. W. MARTIN.
THO. THORNEY. RANDOLPH BULL.
ROB. ANDREWES.

The Declaration of the LORD KEEPER, *the* EARL OF WORCESTER, *and the* LORD CHIEF JUSTICE OF ENGLAND.[1]

Upon Sunday, being the 8th of February last past, about ten of the clock in the forenoon, the Lord Keeper of the Great Seal, the Earl of Worcester, Sir William Knollis, Comptroller of her Majesty's Household, and the Lord Chief Justice of England, being commanded by direction from the Queen's Majesty, did repair to the late Earl of Essex his house, and finding the gate shut against them, after a little stay they were let in at the wicket. And as soon as they were within the gate, the wicket was shut upon them, and all their servants kept out.

At their coming thither they found the court full of men assembled together in very tumultuous sort; the Earls of Essex, Rutland, and Southampton, and the Lord Sandys, Master Parker, commonly called Lord Mountegle, Sir Christopher Blunt, Sir Charles Davers, and many other knights and gentlemen, and other persons unknown, which flocked together about the Lord Keeper, etc. And thereupon the Lord Keeper told the Earl of Essex, that they were sent from her Majesty to understand the cause of this their assembly, and to let them know, That if they had any particular cause of grief against any persons whatsoever, it should be heard, and they should have justice.

Hereupon the Earl of Essex with a very loud voice declared, That his life was sought, and that he should have been murthered in his bed; that he had been perfidiously dealt with; that his hand had been counterfeited, and letters written in his name; and that therefore they were assembled there together to defend

[1] Original in S. P. O.

their lives; with much other speech to like effect. Hereupon the Lord Chief Justice said unto the Earl, That if they had any such matter of grief, or if any such matter were attempted or purposed against him, he willed the Earl to declare it, assuring him that it should be truly related to her Majesty, and that it should be indifferently heard, and justice should be done, whomsoever it concerned.

To this the Earl of Southampton objected the assault made upon him by the Lord Gray. Whereunto the Lord Chief Justice said, That in his case justice had been done, and the party imprisoned for it. And hereupon the Lord Keeper did eftsoons will the Earl of Essex, that whatsoever private matter or offence he had against any person whatsoever, if he would deliver it unto them, they would faithfully and honestly deliver it to the Queen's Majesty, and doubted not to procure him honourable and equal justice, whomsoever it concerned; requiring him, that if he would not declare it openly, that he would impart it unto them privately, and doubted not but they would satisfy him in it.

Upon this there was a great clamour raised amongst the multitude, crying, *Away, my Lord, they abuse you, they betray you, they undo you, you lose time.* Whereupon the Lord Keeper put on his hat, and said with a loud voice, My Lord, let us speak with you privately, and understand your griefs; and I command you all upon your allegiance, to lay down your weapons, and to depart, which you ought all to do, being thus commanded, if you be good subjects, and owe that duty to the Queen's Majesty which you profess. Whereupon they all brake out into an exceeding loud shout and cry, crying, *All, all, all.*

And whilst the Lord Keeper was speaking, and commanding them upon their allegiance, as is before declared, the Earl of Essex and the most part of that company did put on their hats, and so the Earl of Essex went into the house, and the Lord Keeper, etc., followed him, thinking that his purpose had been to speak with them privately, as they had required. And as they were going, some of that disordered company cried, *Kill them.* And as they were going into the great chamber, some cried, *Cast the great seal out of the window.* Some other cried there, *Kill them;* and some other said, *Nay, let us shop them up.*

The Lord Keeper did often call to the Earl of Essex to speak with them privately, thinking still that his meaning had been so,

until the Earl brought them into his book[1] chamber, and there gave order to have the further door of that chamber shut fast. And at his going forth out of that chamber, the Lord Keeper pressing again to have spoken with the Earl of Essex, the Earl said, *My lords, be patient awhile, and stay here, and I will go into London, and take order with the mayor and sheriffs for the City, and will be here again within this half hour;* and so departed from the Lord Keeper, etc., leaving the Lord Keeper, etc., and divers of the gentlemen pensioners in that chamber, guarded by Sir John Davis, Francis Tresham, and Owen Salisbury, with musket-shot, where they continued until Sir Ferdinando Gorges came and delivered them about four of the clock in the afternoon.

In the meantime we did often require Sir John Davis, and Francis Tresham, to suffer us to depart, or at the least to suffer some one of us to go to the Queen's Majesty, to inform her where and in what sort we were kept. But they answered, *That my Lord* (meaning the Earl of Essex) *had commanded that we should not depart before his return, which* (they said) *would be very shortly.*

THOMAS EGERTON, C. S.

[All this I heard also, saving only the words, "Cast the Seal out of the window," and the words the Earl said touching his going to the Lord Mayor and settling the City: which I heard not, being somewhat before the Lord Keeper; but in the chamber where the books were I moved the Earl that he would cause his company to depart, that we might have some private speech there with the Earl. The Earl answered that he would not cause them to depart, for that they should not think he would betray them.]

JO. POPHAM.

[The most part of these words uttered by my Lord Keeper and my Lord Chief Justice I do very well remember, but the throng was so great as I was cast behind at their going into the chamber, but recovering their company I heard my Lord Keeper as I take it say that if they would stay us they must keep us as prisoners, otherwise we would depart to Court. Whereunto the Earl as I take it replied and said that if the Lord Keeper and the

[1] So MS. The Declaration has "backechamber." But the MS. is no doubt right: see Popham's declaration, further down.

rest would have patience until his return, both he and they would go together and lay himself and his cause at the feet of her Majesty.

And so the rest cried out, My Lord you lose time, and so they departed and left us under guard. For the words "Cast the Seal out at the window," I did not hear myself but by report, but many gave their censures, some saying Kill them, some Keep them as prisoners, some Let them be pledges until their return.]

E. Worcester.[1]

The Examination of Roger, Earl of Rutland, *the 12th of February,* 1600, *taken before Sir Thomas Egerton, Lord Keeper of the Great Seal; the Lord Buckhurst, Lord High Treasurer; the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary; and Sir Jo. Popham, Lord Chief Justice of England.*[2]

He saith, that at his coming to Essex House on Sunday morning last, he found there with the Earl of Essex, the Lord Sandys, and the Lord Chandos, and divers knights and gentlemen. And the Earl of Essex told this examinate, That his life was practised to be taken away by the Lord Cobham and Sir Walter Raleigh, when he was sent for to the Counsel. And the Earl said,[3] That now he meant by the help of his friends to defend himself. And saith, that the detaining of the Lord Keeper and the other lords sent to the Earl from the Queen, was a stratagem of war. And saith, That the Earl of Essex told him that [the city of] London stood for him, and that Sheriff Smith had given him intelligence that he would make as many men to assist him as he could. And further the Earl of Essex said, That he meant to possess himself of the City, the better to enable himself to revenge him on his enemies the Lord Cobham, Sir Robert Cecil, and Sir Walter Raleigh. And this examinate confesseth, That he resolved to live and die with the Earl of Essex; and that the Earl of Essex did intend to make his forces so strong that her Majesty should not be able

[1] These explanations are not given in the printed Declaration, the statement being merely signed—

"Thomas Egerton, C. S.
Edward Worcester.
John Popham."

[2] The original, and also a copy in S. P. O.: both in Coke's hand.

[3] *And therefore said:* MS.

to resist him in the revenge of his enemies. And saith, That the Earl of Essex was most inward with the Earl of Southampton, Sir Christopher Blunt, and others; who have of long time showed themselves discontented, and have advised the Earl of Essex to take other courses, and to stand upon his guard. And saith, That when the Earl of Essex was talking with the Lord Keeper and other the lords sent from her Majesty, divers said, My Lord, they mean to abuse you, and you lose time. And when the Earl came to Sheriff Smith's, he desired him to send for the Lord Mayor that he might speak with him. And as the Earl went in the streets of London, this examinate said to divers of the citizens, that if they would needs come, that it was better for their safety to come with weapons in their hands.[1] And saith, That the Earl of Essex (at the end of the street where Sheriff Smith dwelt) cried out to the citizens, That they did him harm, for that they came naked; and willed them to get them weapons. And the Earl of Essex also cried out to the citizens, That the crown of England was offered to be sold to the Infanta. And saith, that the Earl burned divers papers that were in a little casket, whereof one was, as the Earl said, An history of his troubles. And saith, that when they were assaulted in Essex House, after their return, they first resolved to have made a sally out. And the Earl said, that he was determined to die; and yet in the end they changed their opinion, and yielded. And saith, that the Earl of Southampton, Sir Christopher Blunt, and Sir John Davies, advised the Earl of Essex, that the Lord Keeper and his company should be detained. And this examinate saith, That he heard divers there present cry out, Kill them, kill them. And saith, that he thinketh the Earl of Essex intended, that after he had possessed himself of the City, he would entreat the Lord Keeper and his company to accompany him to the Court. [And saith, that the Earl of Southampton showed himself discontented long before, and often said that the Earl of Essex had had great wrong and hard proceedings against him. And saith, that Sir John Heydon cried out divers times, For the Queen, for the Queen. And saith, that the Earl of Southampton, about six weeks past, sent Edward Yates, this examinate's servant, into France, for saddles,

[1] So the printed Declaration. The MS. has, "if they would stay there, it was best for their safety to have weapons in their hand." The sentence originally stood thus: "this examinate *advised divers* of the citizens *to put themselves in arms*." The correction not being easy to read, the discrepancy may be due merely to a miscopy.

pistols, and other things.] He saith, he heard Sir Christopher Blunt say openly, in the presence of the Earl of Essex and others, how fearful and in what several humours they should find them at the Court, when they came thither. [And saith, that on Sunday morning the Earl of Essex told this examinate and other his company that the Earl of Sussex would be with them presently.]

RUTLAND.

Exam. per TH. EGERTON, C.S. RO. CECIL.
T. BUCKHURST. JO. POPHAM.
NOTTINGHAM.

The Confession of WILLIAM LORD SANDYS, *of the parish of Sherborne Cowdry, in the county of Southampton, taken this* 16*th of February,* 1600, *before Sir John Popham, Lord Chief Justice; Roger Wilbraham, Master of the Requests; and Edward Coke, her Majesty's Attorney-General.*[1]

He saith, that he never understood that the Earl did mean to stand upon his strength, till Sunday in the morning, being the 8th of this instant February. And saith, that in the morning of that day this examinate was sent for by the Earl of Essex about six or seven of the cloek: and the Earl sent for him by his servant Warberton, who was married to a widow in Hampshire. And at his coming to the Earl, there were six or seven gentlemen with him; but remembereth not what they were; and next after, of a nobleman, came my Lord Chandos, and after him came the Earl of Southampton, and presently after the Earl of Rutland, and after him Master Parker, commonly called the Lord Mountegle. And sayeth, that at his coming to the Earl of Essex, he complained That it was practised by Sir Walter Raleigh to have murdered him as he should have gone to the Lord Treasurer's house with Master Secretary Herbert. And saith, that he was present in the courtyard of Essex House, when the Lord Keeper, the Earl of Worcester, Sir William Knollis, and the Lord Chief Justice, came from the Queen's Majesty to the Earl of Essex. And [saith, that he heard not what the Lord Keeper said, but heard] the Lord Chief Justice to require[2] the Earl of

[1] Original, in Coke's hand, in S. P. O.
[2] So MS. The printed Declaration has, "And the Lord Chief Justice required," etc.

Essex to have some private conference with him; and that if any private wrongs were offered unto him, that they would make true report thereof to her Majesty, who no doubt would reform the same. And saith, that this examinate went with the Earl and the rest of his company to London to Sheriff Smith's; but went not into the house with him, but stayed in the street awhile, and being sent for by the Earl of Essex, went into the house, and from thence came with him till he came to Ludgate; which place being guarded, and resistance being made, and perceived by the Earl of Essex, he said unto his company, *Charge;* and thereupon Sir Christopher Blunt, and others of his company, gave the charge, and being repulsed, and this examinate hurt in the leg, the Earl retired with this examinate and others to his house called Essex House. And on his retire, the Earl said to this examinate, *That if Sheriff Smith did not his part, that his part was as far forth as the Earl's own;* which moved him to think that he trusted to the City. And when the Earl was after his retire in Essex House, he took an iron casket, and broke it open, and burnt divers papers in it. Whereof there was a book, as he taketh it; and said, as he was burning of them, *That they should tell no tales to hurt his friends.* And saith, that the Earl said *That he had a black bag about his neck that should tell no tales.*

WILLIAM SANDYS.

Exam. per JO. POPHAM. ROGER WILBRAHAM.
EDW. COKE.

This examination, as appeareth by the date, was taken after Essex arraignment, but is inserted to show how the speech of the realm to be sold to the Infanta, which at his arraignment he derived from Mr. Secre-

The Examination of the LORD CROMWELL, *taken the 7th of March, 1600, by Sir J. Popham, Lord Chief Justice; Christ. Yelverton, her Majesty's Serjeant; and Fr. Bacon, of her Majesty's Learned Counsel.*

At the Sheriff's house this examinate pressed in with the rest, and found the Earls shifting themselves in an inner chamber; where he heard my Lord of Essex certify the company, that he had been advertised out of Ireland (which he would not now hide from them) that the realm should be delivered over to the hands of the Infanta of Spain, and that he was wished to look to it. Further, that he was to seek redress for injuries; and that he

had left at his house for pledges, the Lord Keeper, the Earl of Worcester, Sir William Knollis, and the Lord Chief Justice.

EDW. CROMWELL.

Exam. per Jo. POPHAM.
CHR. YELVERTON.
FR. BACON.

tary, at Sheriff Smith's house he said he was advertised out of Ireland. And with this latter concur many other examinations.

SIR CHRISTOPHER BLUNT, *Knight, at the time of his arraignment, did openly at the bar desire to speak with the Lord Admiral and Mr. Secretary; before whom he made this Confession following: which the Earl of Southampton confirmed afterwards: and he himself likewise at his death.*[1]

He confesseth, that at the Castle of Dublin, in that lodging which was once the Earl of Southampton's, the Earl of Essex

[1] There is a rough note of this confession in the State Paper Office, written in Coke's hand, apparently with great rapidity, and many of the sentences not completed; like notes taken from a man speaking: but it has neither heading, nor date, nor signature, nor docket.

The first two paragraphs agree with the text. But in the remainder the variations are so many that it will be most convenient to give a copy of the MS.

"From this purpose he dissuaded, alleging his own ruin and all those which should adhere to him, and that it was a matter most foul, because he was a patron of his country, which by this means he should have destroyed, and should lay upon himself an irrecoverable blot.

"Then it was resolved that [if] he needs would go, he should take a competent number of choice men, who might have secured him from any commitment unless it were to the houses of Cant., Kep., Knolls.

"On Saturday, no resolution of any certain day, but between that and the end of term.

"But when Mr. Secretary Herbert had been there there fell question.

"Resolved if there were a necessity, to go to the City, of which he made himself most secure; but from whom he cannot burden his conscience.

"For Lea, he had order from the Earl to let Captain Thos. Lea go to Tyrone.

"After my Lord had been charged, willed to take it upon them.

"The Earl assured himself his army would have been increased by all sorts of discontented persons.

"He did confess before his going that many of the rebels would be advised by him, but named none in particular."

The preservation of this note in its original undress is the more valuable, because the printed report has no signature: a strange omission, considering the importance of the matter. For though a confession stated, in a book printed by authority of the Government, to have been made before the Lord Admiral and the Principal Secretary, must be considered as virtually acknowledged by them to be correct; yet care having been taken in all other cases to append the personal signature both of the confessant and witnesses, it is singular that it should be omitted in so extremely important a piece of evidence as this. The explanation probably is, that as the evidence was not to be used in Court, Coke did not see the use of such a formality; or that a man "dead in law" is incapable by law of attesting anything;—and that for such or some no better reason, he was content with his own knowledge of the fact confessed, as set down with his own hand. To *him* no doubt such a record was as good proof as any number of signatures could have been. And to us also (as it happens very luckily) the manner in which the

purposing his return into England, advised with the Earl of Southampton and himself of his best manner of going into England for his security, seeing to go he was resolved.

At that time he propounded his going with a competent number of soldiers, to the number of two or three thousand, to have made good his first landing with that force, until he could have drawn unto himself a sufficient strength to have proceeded further.

From this purpose this examinate did use all forcible persua-

note is set down affords very good evidence of genuineness. It has all the appearance of having been taken down from the mouth of a man speaking,—can hardly be conceived indeed to have got its form in any other way; and if so it will be seen that the printed report is a correct representation (so far as it goes) certainly of the meaning and very likely of the words.

This paper supplies us also with the explanation of a mysterious letter from Sir R. Cecil to Coke, cited by Mr. Jardine as a proof that "in those times the statements of witnesses were discharged of all suspicious matter before they were proved in Court." It is doubtful to whom the letter was addressed; for it is on a single leaf of thin paper, upon the back of which has been pasted what seems to be the fly-leaf of a note from Bacon to Coke: the address, "To my very loving friend, Mr. Edward Coke, Esq., her Majesty's Attorney-General" (which Mr. Jardine mistook for the direction of the letter), being in Bacon's hand. But the doubt does not affect the point in question. The letter runs thus:—

"Sir,—I pray you if you possibly can, let not Blunt's words be read, wherein he saith that if he were committed any further than to the Lord of Canterbury's house, the Lord Keeper, or Mr. Comptroller's, he would do, etc. My reason is this, it will show a spirit of prophecy, and now confessed seems a little to savour as if he did coin it. These words only I would have left out, for indeed the rest is very necessary; but that divination is too suspicious.

"Yours assuredly,

"ROBERT CECYLL.

"Methinks it might be in these words, 'that if he were not committed to any prison,' or in some such like; or else wholly that portion left out; but in any wise let not these places be named, because it proved so *ex post facto*."

The words referred to are no doubt those at the close of the second paragraph of the note. Blunt said he had advised Essex to take over with him from Ireland "a competent number of choice men, who might have secured him from any commitment, unless it were to the houses of Cant., Kep., Knolls,"—*i. e.* the Archbishop of Canterbury, the Lord Keeper, or Sir W. Knolles, who was Mr. Comptroller: they being Essex's principal friends in the Council. In other words, to take a company strong enough to keep him out of the hands of his enemies. Now it so happened that Essex was actually committed to the house of the Lord Keeper; and Cecil feared that people would look upon the coincidence, though in fact a very simple and natural one, as a proof that the story was an afterthought.

If the word *read* be not a slip of the pen or a miscopy, the original occasion of this letter cannot have been the drawing of the Declaration of Treasons, but some oral proceeding, which may perhaps have been at one time thought of. The reason however for the precaution would apply, such as it is, to either. And I think I see in one or two of the other variations between the original and the printed confessions traces of the same unwise prudence—the same want of reliance on the simplicity of the truth—which was characteristic of Robert Cecil.

Since this was written, another and more authentic version of Blunt's confession (taken probably upon a subsequent examination) has been recovered from the Hatfield MSS. The names of the examiners indeed are not given; but the paper bears Blunt's own signature, which gives it an especial value. I have therefore given a complete copy of it among the Additional Evidences.

sions; alleging not only his own ruin, which should follow thereof, and all those which should adhere to him in that action; but urging it to him as a matter most foul, because he was not only held a patron of his country, which by this means he should have destroyed; but also should have laid upon himself an irrevocable blot, having been so deeply bound to her Majesty. To which dissuasion the Earl of Southampton also inclined.

This design being thus dissuaded by them, then they fell to a second consideration. And therein this examinate confesseth that he rather advised him, if needs he would go, to take with him some competent number of choice men.

He did not name unto him any particular power that would have come to him at his landing, but assured himself that his army would have been quickly increased by all sorts of discontented people.

He did confess before his going, that he was assured that many of the rebels would be advised by him; but named none in particular.

The Examination of the Earl of Southampton *after his arraignment; taken before the Earl of Nottingham, Lord High Admiral; Sir Robert Cecil, Principal Secretary; and Mr. John Herbert, Second Secretary of Estate.*[1]

Sir Christopher Blunt being hurt, and lying in the Castle of Dublin, in a chamber which had been mine, the Earl of Essex one day took me thither with him; where being none but we three, he told us he found it necessary for him to go into England, and thought it fit to carry with him as much of the army as he could conveniently transport, to go on shore with him to Wales, and there to make good his landing with those, till he could send for more. Not doubting but his army would so increase in a small time, that he should be able to march to London, and make his conditions as he desired.

To which project I answered, that I held it altogether unfit, as well in respect of his conscience to God, and his love to his country, as his duty to his sovereign, of which he (of all men) ought

[1] I have not found the original of this. But as the Earl of Southampton lived many years after it was thus published, and in times when he had nothing whatever to fear from discovering it, his silence is as good an authentication as his signature could have been.

to have greatest regard, seeing her Majesty's favours to him had been so extraordinary. Wherefore I could never give any consent unto it. Sir Christopher Blunt joined with me in this opinion.

Exam. per NOTTINGHAM.
RO. CECIL.
J. HERBERT.

The Speeches of SIR CHR. BLUNT, *at the time of his death, as near as they could be remembered, March* 18, 1600.

My Lords, and you that be present, Although I must confess, that it were better fitting the little time I have to breathe, to bestow the same in asking God forgiveness for my manifold and abominable sins, than to use any other discourse, especially having both an imperfection of speech, and God knows a weak memory, by reason of my late grievous wound; yet to satisfy all those that are present, what course hath been held by me in this late enterprise, because I was said to be an instigator and setter on of the late Earl, I will truly, and upon the peril of my soul, speak the truth.

It is true, that the first time that ever I understood of any dangerous discontentment in my Lord of Essex, was about three years ago, at Wanstead, upon his coming one day from Greenwich. At that time he spake many things unto me, but descended into no particulars, but in general terms.

After which time he never brake with me in any matter tending to the alteration of the State (I protest before God), until he came into Ireland, other than I might conceive that he was of an ambitious and discontented mind. But when I lay at the castle of Thomas Lee, called Reban, in Ireland, grievously hurt, and doubted of my life, he came to visit me, and then began to acquaint me with his intent.

As he thus spake, the Sheriff began to interrupt him, and told him the hour was past. But my Lord Gray, and Sir Walter Raleigh, Captain of the Guard, called to the Sheriff, and required him not to interrupt him, but to suffer him quietly to finish his prayers and confessions. Sir Christopher Blunt said, Is Sir Walter Raleigh there? Those on the scaffold answered, Yea. To whom Sir Christopher Blunt spake on this manner.

Sir Walter Raleigh, I thank God that you are present: I had an infinite desire to speak with you, to ask you forgiveness ere I died, both for the wrong done you, and for my particular ill intent towards you: I beseech you forgive me.

Sir Walter Raleigh answered, that he most willingly forgave him, and besought God to forgive him, and to give him his divine comfort: protesting before the Lord, that whatsoever Sir Christopher Blunt meant towards him, for his part he never had any ill intent towards him: and further said to Sir Christopher Blunt, I pray you without offence let me put you in mind that you have been esteemed not only a principal provoker and persuader of the Earl of Essex in all his undutiful courses, but especially an adviser in that which hath been confessed of his purpose to transport a great part of her Majesty's army out of Ireland into England, to land at Milford, and thence to turn it against her sacred person. You shall do well to tell the truth, and to satisfy the world. To which he answered thus.

Sir, if you will give me patience, I will deliver a truth, speaking now my last, in the presence of God, in whose mercy I trust. And then he directed himself to my Lord Gray and my Lord Compton, and the rest that sat on horseback near the scaffold.

When I was brought from Reban to Dublin, and lodged in the Castle, his Lordship and the Earl of Southampton came to visit me; and to be short, he began thus plainly with me: *That he intended to transport a choice part of the army of Ireland into England, and land them in Wales, at Milford or thereabouts; and so securing his descent, thereby would gather such other forces as might enable him to march to London.* To which, I protest before the Lord God, I made this or the like answer: that I would that night consider of it; which I did.

And the next day the Earls came again: I told them, that such an enterprise, as it was most dangerous, so would it cost much blood, as I could not like of it; besides many hazards, which as this time I cannot remember unto you, neither will the time permit it. But I rather advised him to go over himself with a good train, and make sure of the Court, and then make his own conditions.[1]

[1] In a volume of collections by Stephen Powle (Tanner MSS. 169, fo. 75) there is a rather fuller report of Sir Christopher Blunt's speech on the scaffold, in which this part of the confession is given as follows:—

"After I had received my wounds in her Majesty's service in Ireland, I was

And although it be true, that (as we all protested in our examinations and arraignments) we never resolved of doing hurt to her Majesty's person (for in none of our consultations was there set down any such purpose); yet, *I know, and must confess, if we had failed of our ends, we should (rather than have been disappointed) even have drawn blood from herself.* From henceforward he dealt no more with me herein, until he was discharged of his keeper at Essex House. And then he again asked mine advice, and disputed the matter with me; but resolved not. I went then into the country, and before he sent for me (which was some ten days before his rebellion) I never heard more of the matter. And then he wrote unto me to come up, upon pretence of making some assurances of land, and the like. I will leave the rest unto my confessions, given to that honourable Lord Admiral, and worthy Mr. Secretary (to whom I beseech you, Sir Walter Raleigh, commend me); I can requite their favourable and charitable dealing with me, with nought else but my prayers for them. And I beseech God of his mercy, to save and preserve the Queen, who hath given comfort to my soul, in that I hear she hath forgiven me all but the sentence of the law, which I most worthily deserved, and do most willingly embrace;

carried to Lee Castle, Castle Ryland; from whence my Lord of Essex sent for me to come to Dublin, if I might without peril of my life. I made shift to come to him, though I was then in bad case to travel. Coming to Dublin Castle, I found the Earl of Southampton there with him. My Lord of Essex had me up into a chamber, and sending all his company away, himself shut the doors, and sought in every corner that might be suspected. When he saw all clear, first telling me how much he trusted in my love and secrecy, and relied on my advice in matters that concerned him most, he came to the matter; and told me that (as I knew) he had many injuries offered to him by his adversaries in England, which he could no longer endure; and that they in his absence so much prevailed with the Queen, that except they were presently removed, there was no hope he should long continue in her Majesty's favour; and that therefore he meant to go to England, with an army of three thousand men, and to make way to her Majesty, and so get his enemies to be removed from her, and himself into more assurance of her favour; asking my opinion of that project, I dissuaded him as much as I could; and told him that it was not likely that so small forces could prevail in a kingdom so well peopled, and where the prince is so well beloved of the subjects as in England; especially against such men as were so highly in the Queen's favour. He told me that he doubted not but that his forces would increase as he went, and that he had many powerful friends, who he hoped would join with him if occasion served. I answered that I thought this could not be brought to pass without the shedding of much blood, and that however it succeeded, it could not but prove very dishonourable to him, that had so many times taken arms for his country, now to come against it with force. And so, as from an action full of uncertainty and likely to blot his honour with perpetual infamy, I dissuaded him at last. . . . . I protest that I never in any of these actions intended the least diminution of state or to her Majesty's person; though now I see too late that rather than we should have failed of our purpose, it would have cost much blood, and perhaps have drawn some even from her Majesty's own person."

and hope that God will have mercy and compassion on me, who have offended him as many ways as ever sinful wretch did. I have led a life so far from his precepts, as no sinner more. God forgive it me, and forgive me my wicked thoughts, my licentious life, and this right arm of mine, which (I fear me) hath drawn blood in this last action. And I beseech you all bear witness, that I die a Catholic, yet so, as I hope to be saved only by the death and passion of Christ, and by his merits, not ascribing anything to mine own works. And I trust you are all good people, and your prayers may profit me. Farewell, my worthy Lord Gray, and my Lord Compton, and to you all; God send you both to live long in honour. I will desire to say a few prayers, and embrace my death most willingly.

With that he turned from the rail towards the executioner; and the minister offering to speak with him, he came again to the rail, and besought that his conscience might not be troubled, for he was resolved; which he desired for God's sake. Whereupon commandment was given that the minister should not interrupt him any further. After which he prepared himself to the block, and so died very manfully and resolutely.

An Abstract out of the Earl of Essex *Confession under his own hand.*[1]

Upon Saturday the twenty-first of February, after the late

[1] A manuscript in the State Paper Office, docketed in Cecil's hand, "Abstract of the Earl of Essex his letter and speeches testified by the Lords who have subscribed," and bearing the original signatures, contains the passage which follows, with one variation noticed in its place. But the paper consists of three parts; and the title here given (which looks from the manner in which it is written like the general title of the whole) applies in fact only to the first part; which runs thus: "Within one month after I departed from Sir Richard Berkley, Cuffe having access unto me, after some words of persuasion to think of the injury and dishonour offered unto me, of the misery of my friends and of my country, and of my necessity to hold correspondency with my friends, moved me to let Sir Charles Danvers come unto me [who would make me know the minds of my friends]."

The words within brackets are added in Coke's hand. Then follows

"*An abstract of the Earl of Essex letter to the Earl of Southampton.*

"My Lord,

"You crave her Majesty's mercy: deserve it as far as in you lieth, by making her see what danger she hath been in, and what sin you have committed."

After which follows the passage in the text.

On the back, underneath Cecil's docket above quoted, is the following memorandum in Coke's hand:—

"Mem.: 23 Jan. 1601. Sent by Cooke my servant 3 declarations, all written by the Earl of Essex his own hand.

"1. Concerning Sir Henry Neville. 2. Concerning Smith. 3. His pretended petition to the Queen."

Earl of Essex had desired us to come to him, as well to deliver his knowledge of those treasons which he had formerly denied at the bar, as also to recommend his humble and earnest request that her Majesty would be pleased (out of her grace and favour) to suffer him to die privately in the Tower; he did marvellous earnestly desire, that we would suffer him to speak unto Cuffe his secretary: against whom he vehemently complained unto us, to have been a principal instigator to these violent courses which he had undertaken. Wherein he protested, that he chiefly desired that he might make it appear that he was not the only persuader of these great offences which they had committed; but that Blunt, Cuffe, Temple, besides those other persons who were at the private conspiracy at Drury House (to which, though these three were not called, yet they were privy), had more malicious and dangerous ends for the disturbance of the Estate, than he doth now find could have been prevented, if his project had gone forward: as well appeareth by the confusion they drew him to even in his own house that morning that he went into the City.[1]

This request being granted him, and Cuffe brought before him, he there directly and vehemently charged him. And among other speeches used these words: *Henry Cuffe, call to God for mercy, and to the Queen, and deserve it by declaring truth. For I, that must now prepare for another world, have resolved to deal clearly with God and the world: and must needs say this to you; You have been one of the chiefest instigators of me to all these my disloyal courses into which I have fallen.*

Testified by THO. EGERTON, C. S.
THO. BUCKHURST.
NOTTINGHAM.
RO. CECIL.

The EARL OF ESSEX *his Confession to Three Ministers, whose names are underwritten, the 25th of February,* 1600.[2]

The late Earl of Essex thanked God most heartily, That he

[1] So the original MS. In the printed Declaration it stands thus: "had most malicious and bloody purposes to subvert the state and government: which could not have been prevented, if his project had gone forward."

[2] The original is in the S. P. O. It has the original signatures; and agrees with the text: except that for the word "offence" (in both places where it occurs) the MS. has "sinne:" which is in both places underlined, apparently in another hand than the writer's. Perhaps the witnesses differed in their recollection of the word.

had given him a deeper insight into his offence, being sorry he had so stood upon his justification at his arraignment, for he was since that become another man.

He thanked God that his course was so prevented; for if his project had taken effect, God knows (said he) what harm it had wrought in the realm.

He humbly thanked her Majesty, that he should die in so private a manner, lest the acclamation of the people might have been a temptation unto him. To which he added, That all popularity and trust in man was vain: the experience whereof himself had felt.

He acknowledged with thankfulness to God, That he was thus justly spewed out of the realm.

He publicly in his prayer and protestation, as also privately, aggravated the detestation of his offence; and especially in the hearing of them that were present at the execution, he exaggerated it with four epithets, desiring God to forgive him his *great*, his *bloody*, his *crying*, and his *infectious sin:* which word *infectious* he privately had explained to us, that it was a leprosy that had infected far and near.

Thomas Montford.
William Barlow.
Abdie Ashton, his Chaplain.

ADDITIONAL EVIDENCES

NOT PUBLISHED WITH THE DECLARATION.

ADDITIONAL EVIDENCES

NOT PUBLISHED WITH THE DECLARATION.

The discretion of the Queen in taking no notice of the correspondence with Scotland, or of the part which Montjoy had played in the earlier stages of the business, obliged her to leave a portion of the story half-told, and some of the most important confessions unpublished; although the effect of the Declaration was thereby considerably impaired: for the narrative could not be so managed as not to involve allusion to matters of which the proofs could not be produced. Of these suppressed depositions some are lost, probably beyond recovery: among them the four sheets of confession made by Essex himself. But several are still extant; and being of real historical value in the way of evidence and illustration, I add them here to make the case complete.

I.

Declaration of David Hetherington, *taken by Lord Treasurer Buckhurst, 8th January,* 1599. (*S. P. O.*)

That in this last summer Captain Thomas Lea went secretly to Tyrone and was with him two or three days; which matter coming to the knowledge of some of the Council of Ireland, the said Council did ask of the Earl of Essex if he had passed thither with his Lordship's direction: but his Lordship denied that he was anyways privy thereunto. Nevertheless there followed no punishment upon the said Captain Lea, neither was he called in question for the same. But within a while after, the said Mr. Hetherington did hear that Sir Christopher Blunt was he that did send the said Captain Lea unto Tyrone. And the said Hetherington also saith that sure he is that Captain Lea had a pardon granted him by the said Earl of Essex about a week before the coming of the said Earl out of Ireland: for he saw the said pardon and read it. And he further saith that he hath

heard it confidently reported that Sir Christopher Blunt had his pardon also granted him before the coming over of the said Earl: but how long before he knoweth not, nor did he ever see the said pardon, but he was so assured that he had a pardon by one Will. Parsons, servant to Sir Jeffrey Fenton.

Read over and confirmed 13th January, 1599, before the same persons.

II.

The Examination of THOMAS LEE, *the* 14*th of February*, 1600.

He now saith that calling to memory that being examined by the Lords where he had supped on Thursday night last, he answered their Lordships that he had not supped that night, he now remembereth he had a supper provided for him in his lodging, and that he had sate at supper but eat no meat, and he had at supper with him his son-in-law, Wm. Eustace, Esquire, born in Ireland. And after the said Eustace had used some speeches concerning his own distressed estate for want of money, he this examinate said that he heard [by] one Wm. Greenway, a prentice to a silk-mercer in Cheapside, and also by his own servant, that the Lord Deputy of Ireland was sent for into England; whereupon this examinate said, if the Lord Deputy of Ireland be so to the Earl of Essex as I think he is, if he be sent for he will not come over; and if he do not come when he is sent for, if these noblemen lately imprisoned do miscarry, then it will be the greatest ruin, if he seek revenge, that ever England saw: and if the Lords be kept in prison it will be in the Deputy's power to redeem them; and the reason he then showed was—If Wormewood (*sic*) be the Deputy's as this examinate knew he was the Lord of Essex's, then if the Deputy and Wormewood join together, he thinketh that the Deputy would write a letter to her Majesty signifying to her that he understood of the Lords' imprisonment, which he knew were of loyal hearts to her Majesty, and it was but the revenge of their enemies that they were imprisoned, and if the Queen upon such a letter would not give them contentment they would stand upon their guards and hold the places they have. And the reason that moved this examinate to utter such speeches was because he knew that Essex, Worme-

wood,[1] Tyrone, and the Marshal Sir Christopher Blunt, were all one and held one course: for notwithstanding many treasons of Wormewood were made apparent to the Earl of Essex and the Marshal, yet they bore with Wormewood in all his treasons which he plotted with the rebels of Lemster, which were proved by James Fitz Puer, Knight, the Lord Mountgarret and his Lady, Bryan O'Kelly, Pierce Barry, and James Knoode. The last three were messengers of this examinate, and these witnesses were examined before Sir Christopher Blunt, and as he believeth by him made known to the Earl of Essex; and this examinate oftentimes, and also Sir Coniers Clifford at Limeriek, told the Earl of Essex that he would prove Wormewood a traitor, as Sir Coniers Clifford told this examinate, and that some of the treasons proved before the Marshal were these.

That when this examinate in the government of the Earl of Essex had sent divers times unto Owny Mae Rorie O'More to advise him to obedienee, at the same times the messengers of Wormewood were with Owny persuading him to stand out and to fight with the Earl of Essex; and the messengers would not believe Owny's word, he would fight, but took his oath so to do, and so swore accordingly; and Owny sent word to this examinate by the messenger he sent that the Bishop of Cashell had written to him also to that effect.

Also it was further proved before the Marshal and the then Provost-Marshal [ ][2] that the Earl of Essex going forth into Munster, the Earl of Wormewood had given direction to the Lord of Caer's brother to keep the eastle of Caer against the Earl of Essex, to spend time and waste the army; whieh was done accordingly.

There was also proved, that the Lord of Donboyen's followers were one day burning in Burke's (?) eountry before the face of the army, and the next day were attending upon the Lord of Donboyen, a Butler and a follower of the Earl of Wormewood, and the men were showed in Cashell where the army was by one to the Marshal, that had done these actions, in this examinate's hearing, and nothing done to them.

Also that after the return of the Earl of Essex from his

[1] The name Wormewood is underscored in black ink, the rest of the sentence, from *he knew* to *all one*, in red ink; *And* being inserted before *he* in Coke's hand. I fancy that Wormewood must be the Earl of Ormond.

[2] A short word, which I cannot read.

Munster journey, Wm. Harpoole, Esquire, constable of her Majesty's castle of Carlo, came often to this examinate, thinking him of credit with the Earl of Essex, and told him he could discover many treasons of the Earl of Wormewood, if the Earl of Essex would undertake the prosecution thereof, and protect him without damage of the said Harpoole for his discovery; which this examinate often solicited Sir Gilly Merick to impart to the Earl of Essex, but nothing came of it.

And further this examinate saith, that where the Earl of Essex denieth that ever he sent this examinate to Tyrone, yet he thinketh upon his conscience that the Earl of Essex knew of his sending thither by the direction of Sir Christopher Blunt, for these reasons: Because this examinate did ever observe that Sir Christopher Blunt never used this examinate in any matter of employment but first he acquainted the Earl of Essex before with it, and especially in this great message to Tyrone, which the Marshal would not nor durst to have done without the Earl's knowledge, as this examinate thinketh. For the weight and importance thereof were so great that the Marshal would not give him any warrant in writing, but by word only.

And further saith that the Earl of Essex made a sudden and secret journey, a day or two before this examinate went to Tyrone, to this examinate's house, where the Marshal five or six weeks had laid hurt, and lay there but one night, and the next day the Earl returned to Dublin, which day or the next day following this examinate went to Tyrone: and after coming to Tyrone he found him to be very insolent and proud, slandering our nation and saying the Earl of Essex was sent to kill him, but any of his slaves might kill the Earl, but he cannot learn but he would wish none of his father's child's blood to be spilt. And this examinate saith that the Earl of Essex wrote a letter within four or five days after this examinate was gone to Tyrone, to restrain this examinate that he should not go but presently return to his Lordship at Dublin; but this examinate saith he received this letter on his return from Tyrone at the and not before, and thereupon he returned immediately to the Lord Deputy and made report to him of the insolency of the traitor; And the Earl of Essex then said he would be revenged of Tyrone; And this examinate saith that he many times did offer to the Earl of Essex great and good plots of service, but the Earl would not allow of them.

And this examinate further saith that Tyrone sent a message to this examinate by James Knowde, whom this examinate by the Marshal's warrant and had sent before himself to Tyrone, that if the Earl of Essex would follow his plot he would make him the greatest man that ever was in England; and that when Essex and Tyrone should have conference together, for his assurance unto the Earl of Essex, Tyrone would deliver his eldest son in pledge to the Earl; and of this message this examinate made the Earl acquainted with before his coming to this examinate's house, at that time when this examinate was sent to Tyrone, and the Earl of Essex shaked his head at it and gave no certain answer to it.

He further saith that before the Earl of Essex went his journey into the north parts of Ireland, there were divers secret conferences at Dublin between the Earls of Essex and Wormewood, and that thereupon the Earl of Essex went into the north and had parlance (?) with the rebel Tyrone; and this examinate saith that whilst the Earl of Essex was there in the North, this examinate received intelligence first from Owny Mac Rory by Cavil Conor, that the Earl of Essex upon his return from Ulster would go presently for England, and then they (meaning the rebels) should have their wills in all things, and so Owny said this examinate's favour could do him the said Owny no good at all, which this examinate presently signified to the Earl of Essex, and by his letter urged the said Earl of Essex that he would not leave the country without doing some service.

And being demanded what answer Tyrone should send to the Earl concerning these messages he sent him by Knowd as aforesaid, he said that Tyrone acknowledged these messages, but being become proud with the overthrow or defeat of Sir Coniers Clifford, he said he desired to speak with the Earl of Essex himself, and at that time would deliver no matter of consequence in particular, but referred all to their meetings, and conference.

THOMAS LEE.

This examination taken before us, JOHN PEYTON.
ROG. WILBRAHAM.
ANTH. SENTLEGER.
THO. FLEMYNG.

III.

HENRY CUFFE TO THE COUNCIL.

A true Answer to such Articles as were proposed unto me on Saturday, the [blank] *of February, by the Lords of her Majesty's Most Honourable Privy Council.*[1]

Most honourable, my most humble duty remembered.

1. Whereas it hath pleased my late dearest Lord and Master the Earl of Essex, for the discharge of his conscience to deliver his uttermost knowledge touching sundry points greatly importing her Majesty's service, referring himself likewise to my knowledge touching the said points, and charging me as in the sight of God fully to report what I have known in the same, I do here tender unto your Lordships this true and sincere narration, observing the same order which it hath pleased your good Lordships to retain in proposing the aforesaid articles.

First, concerning the Lord Montjoy's intelligence with the King of Scots, neither can I say much, neither can I avouch any sure ground whereupon to found that little which I have heard, only thus much I remember I have been told, that one Henry Lea was thought to have been his negotiator there, but whether by letter or only message or to what especial purpose, I cannot affirm.

2. Concerning the intelligence of my Lord of Essex with that King, I cannot certainly affirm how long it hath continued, but sure I am that it hath been for at least these two years. The intent thereof on his Lordship's part, as I have always conceived, hath been principally that by assuring that Prince of his good affection, such as might stand with his sovereign duty to her Majesty, whereof he made special reservation, he might stay him from irreligious courses in declining from his religion, which of late hath been somewhat feared; next, that he might the better hinder the designs of the Infanta of Spain, whose pretensions to the succession of this crown in many respects he did utterly mislike. From his Lordship I have seen only one letter directed to that King, containing well nigh a whole sheet of paper, the principal parts whereof (as I remember) were these: first, an

[1] Correspondence of James VI. with Sir Robert Cecil: printed for the Camden Society, 1860, p. 85. These articles were no doubt proposed to Cuffe in consequence of the information which had just been given by Essex.

apology for himself touching such unjust accusations as have been laid upon him by his opposites, whose injurious dealing he complaineth of, and not the least that they have sought to possess his Majesty with misconceit of him, as if he proposed to aspire to that whereunto he could by no colour nor likelihood justly pretend. Next, a request to that King to employ here some well qualified and confident person, well instructed, with whom his Lordship might securely confer. Lastly, he concluded with a very devout protestation of his duty and zeal towards her sacred Majesty, vowing that he would rather endure many deaths than consent or suffer that any one iote of her just sovereignty and authority should in her time be impaired: thereby (as I conceive) the more precisely limiting his love towards that Prince, lest he should peradventure expect more than was intended.

3. Concerning the intelligence between these lords, Lord Montjoy and the Earl of Essex, especially touching the point of favouring the Earl's access to her Majesty, I can say little in particular, but must refer myself either to Sir Charles Davers, who purposely took a journey into Ireland to negotiate herein with the Lord Deputy, or to my Lord the Earl, who I doubt not received an ample relation from him of the whole. Only this I know, that Sir Charles found him very affectionate to the Earl, as thinking the public to suffer with his private, and consequently that his return to her Majesty's former grace would turn to the good of thousands. The particulars I omit, because I may be mistaken in relating them.

4. My meeting with Sir Charles Davers at Oxford was by his Lordship's appointment, to signify unto him that whereas he meant to pass over into Ireland, there to confer jointly with the Lord Deputy and the Earl of Southampton for the benefit of my Lord of Essex, certain news was come that my Lord of Southampton was arrived in the Low Countries; whereupon he was again to advise how he would dispose of himself. In conclusion he resolved that himself would continue his journey into Ireland, and would cause Mr. John Littleton to pass into the Low Countries to the Earl of Southampton if my Lord of Essex so thought fit, thence to recall him as soon as conveniently he might.

5. How long the design for my Lord's return to the Court hath been in hand, I cannot precisely say; only I remember that soon after his Lordship's keeper was removed, Sir Charles Davers

had access unto him. What passed betwixt them I know not; for Sir Charles told me that he was expressly bounden by the party from whom he was to deal with my Lord not to acquaint any man with the contents but his Lordship only. Howbeit, soon after I observed that matters grew to have some form. The Earl's purpose therein I doubt not but your Lordships have fully understood from himself. So far as I had any light of it, it was precisely this, to assure his coming to her Majesty's presence, there to cast himself at her royal feet, and with a most humble and dutiful form of speech to beseech her Majesty the renewing of her gracious favour; to remonstrate likewise the cruel courses held against him by his opposites, as subornation of witnesses to bloody ends, practising to counterfeit his hand, and such-like undue courses, whereby they endeavoured either to dispatch him or at least make him utterly odious to her Majesty, which he esteemed a very Hell in this life. Force, so God be my saviour, there was never intended to my knowledge: nor any other countenancing of the cause by the confluence of the gentlemen his followers, but only this, that nothing might be attempted against him before his access to her Majesty. The killing or so much as the hurting of any one Counsellor, or man of quality, I have heard him most earnestly disclaim; and I ever believed it. He hath likewise protested unto me before God that it was neither ambition nor desire of revenge that moved him to desire this his repair to the Court; but that he resolved as a votary to employ the rest of his days in her Majesty's services with extraordinary zeal and diligence, abandoning whatsoever had before been an impediment to him in that behalf. One principal cause of his deferring it so long after his first cogitations I take to be this: partly that he had at sundry times received some lightnings of hope that her Majesty intended graciously to call him again to the Court, and partly because there have been divers expectations of a Parliament, which in all likelihood would, if anything, have given him opportunity of access.

6. The sum of that which I delivered to Sir Henry Bromley is this: That I had seen in a letter from France, for so I think I termed it to him, mention made of a Scottish cipher, wherein were characters for the principal Counsellors of this State, and besides for two private gentlemen, namely, Mr. Anthony Bacon and himself. I assured him that this letter was in Mr. Secre-

tary's hands, and therefore willed him not to be too busy in matters of that nature.

7. From the same knight I likewise received that one Gourden, a Scottish priest, was able to avow that ten thousand crowns, if I be not deceived in the sum, were consigned in France from the Archduke to Mr. Secretary's use.

8. What passed betwixt Sir Henry Nevill and my Lord of Essex at their first meeting I protest I know not, only I guess there passed little more than compliments and foreign occurrences, but hereof your Lordships may be fully advertised by my Lord himself.

9. At Sir Henry Nevill's conference with my Lord of Southampton myself was not present: only I do persuade myself that the plot for my Lord of Essex his repair to the Court was there imparted to him and his advice required.

10. Touching pretended grievances, I can add nothing to that which at that time I signified to your Lordships, neither indeed hath it sorted with my course of life to fall often into company of such persons as might inform me of particulars of this kind. In mine own private fortune I profess with all thankful acknowledgment that I never received the least injury, neither at the hands of any of her Majesty's most honourable Privy Council, nor any other person of quality about the Court, but contrariwise many honourable favours, from the day of my leaving the University to the day of my committing. Which, howsoever it hath been bitter to flesh and blood, yet by the merits and mercy of my blessed Lord and Saviour I find that to the inner man it hath been the beginning of a far greater joy and comfort than all the pleasures and preferments of this life could procure.

Your most honourable Lordships'

Most humbly at commandment,

HENRY CUFFE.

IV.

Declaration of SIR CHARLES DANVERS.[1]

About a month after my Lord of Essex' first commitment to my Lord Keeper's, I came from my house in the country to Lon-

[1] Correspondence of James VI. with Sir Robert Cecil: printed for the Camden Society, p. 100.

don. Before my coming I found that, by my Lord of Southampton and my Lord Montjoy, unto whom it seemed my Lord of Essex had committed the care of his fortunes (according to the fears had been conceived at several times of his danger to be carried to the Tower) divers courses had been thought of for his delivery, either by procuring him means to escape privately into France, or by the assistance of his friends into Wales, or by possessing the Court with his friends to bring himself again to her Majesty's presence. These things had, as I take it, been rather thought on than ever well digested, till within ten days after my coming up, upon a new fear of his imprisonment in the Tower, my Lord of Southampton, my Lord Montjoy, and my brother, meeting at my Lord Montjoy's house where I was present, it was resolved by them, and approved by me, that it was his best course, if he found himself in such danger, to make a private escape.

It was proposed by my Lord of Southampton to my Lord of Essex, whether by letter or message I know not, with offer that he and my brother would accompany him in his flight. The answer my Lord of Essex returned was, as I remember, that if they could think of no better a course for him than a poor flight, he would rather run any danger than lead the life of a fugitive.[1] While these things were in treaty, my Lord of Southampton, after he had made me know how far he would adventure himself for my Lord of Essex, that he would adventure his life to save him, and enter into banishment with him if need were, demanded of me how far I would engage myself for his sake. My answer was, that I loved him best and did confess myself to be most beholding to him of any man living. He had saved my life, and that after a very noble fashion. He had suffered for me, and made me by as many means bound unto him, as one man could be bound unto another. The life he had saved, and my estate and means whatsoever, he should ever dispose of. I ought a duty to the person of my sovereign, which I assured myself he would likewise respect; I ought a respect to Mr. Secretary, to

[1] So far the MS. in the Advocates' Library, printed by Birch, ii. p. 470, agrees with the Hatfield MS., except for a few verbal inaccuracies. The substance of the passage which follows is found further on, and is thus introduced. "I forgot to deliver in the beginning that my Lord of Southampton said he would adventure himself for my Lord of Essex and venture his life to save him, and enter into banishment with him; and demanded of me how far I would engage myself for his sake. I answered I loved him best," etc. The rest of the passage, as far as "life or estate," agrees in substance with the Hatfield copy.

whom I have been very much beholding, and therefore would not be engaged in anything against his person. I knew his Lordship was too noble, howsoever he might enterprise unlawful things, to attempt anything foul or ignominious. Within these limits did I engage myself to any adventure of life or estate whatsoever. And thus much I know my Lord of Southampton in his honour will affirm. Upon this ground I was made privy to all which was afterwards thought on or projected.

I offered my Lord of Southampton, when he first thought of going away with my Lord of Essex, to wait on him if he would, or if he left me behind him, I would sell all that I had, to my shirt, to supply him with means to maintain himself the better abroad.

When my Lord of Essex would have gone away out of my Lord Keeper's house, being advised thereto, as I have heard, by Sir Christopher Blunt, my Lord of Southampton determining to go with him if he would needs go, though he approved not the course, I made the like offer. Upon this ground of affection and thankfulness to him, either tendering his safety or endeavouring to free him out of the danger wherein he was wrapt, I protest hath proceeded whatsoever I have have either intended or acted.[1] To return where I left.

While these things were in handling, the certain time I do not remember, my Lord Montjoy imparted to my Lord of Southampton and myself, that the summer before he had written to the King of Scots by H. Lee, the particularities of which letter or instructions given to him I do not remember that my Lord did ever deliver particularly to me, but by that which fell out afterwards, I conceive it was to assure the King[2] that my Lord of Essex was free from those ambitious conceits which some of his enemies had sought to possess the world withal; to give assurance that next after her Majesty he would endure no succession but his; and to intimate some course for his declaration during her Majesty's time.[3] The cause that moved my Lord

[1] This passage is confused and imperfect in the Advocates' Library MS. "Upon these grounds I was privy to all hath been said, that as I heard say Sir Christopher Blunt advised my Lord of Essex's escape from my Lord Keeper's: and upon these grounds of affection and thankfulness," etc. Here, as elsewhere, the report of the original declaration (probably oral) appears to have been enlarged as well as corrected in the revision.

[2] "About this time the employment for Ireland being enforced upon my Lord Montjoy, he imparted unto us the sending Harry Leigh the summer before into Scotland, to assure the King," etc.—Adv. Lib. MS.

[3] Adv. Lib. MS. adds, "The particulars thereof were at that first time I think

Montjoy to enter into this course with Scotland, and to proceed therein afterward, was, as he protested, his duty to her Majesty and his country; for he could not think his country safe unless by declaration of the successor it were strengthened against the assaults of our most potent enemies, who pretended a title thereunto; nor he could not think her Majesty so safe by any mean as by making her own kingdom safe by that union against their attempts now.[1]

When the government of Ireland was imposed upon my Lord Montjoy, his former motives growing stronger in him by the apprehension of my Lord of Essex' danger, whose ease he seemed extraordinarily to tender, being pressed likewise earnestly by my Lord of Essex to think of some course that might relieve him, my Lord Montjoy first swearing, and exacting the like oaths from my Lord of Southampton and myself, to defend with the uttermost of our lives her Majesty's person and government during her life against all persons whatsoever, it was resolved to send H. Lee again into Scotland, with offer that if the King would enter into the cause at that time, my Lord Montjoy would leave the kingdom of Ireland defensibly guarded, and with four or five thousand men assist that enterprise, which, with the party that my Lord of Essex would be able to make, were thought sufficient to bring that to pass which was intended.[2] Whether it would have fallen out that the King should have entered hostilely and personally into the realm, or should only have countenanced the action with his ambassador, I do not know, for I was only made privy in substance what was meant; but sure I am that my Lord Montjoy's desire was that he should show himself only upon the borders, and by his ambassador's assistance make all men see that the enterprise was for the establishment of the succession, and not for private ambition. H. Lee came not back till my Lord Montjoy was in Ireland, and when he came was committed. What answer he brought I am not able particularly to set down, but by that which I have understood I do judge that the King was either not ready, or could not resolve to declare

confusedly proposed and never brought to any head." In the rest of the sentence the two versions substantially agree.

[1] The Adv. Lib. MS. adds, "He entered into it the rather at that time to serve my Lord of Essex, who by loss of her Majesty was like to run a dangerous fortune unless he took a course to strengthen himself by that means."

[2] In all this again the two versions substantially agree. The remainder of the sentence, down to "ambition," is not to be found in the Adv. Lib. MS.

himself till the garrison was settled at Loughfoile; which were the men and shipping intended for that enterprise.[1]

While H. Lee was in prison, my Lord of Southampton went into Ireland, and by him were letters sent from my Lord of Essex to my Lord Montjoy, to move him to bring over these former intended forces into Wales, and from thence to proceed on to the accomplishment of the former design. My Lord of Southampton for his part, as I conceive, was willing to secure himself of the fear he had by discovery of the former negotiation by H. Lee, then in prison, to be undone. But my Lord of Montjoy's answer was (which I understood in substance before, but more particularly from himself in Ireland) that he thought it more lawful to enter into such a cause with one that had interest in the succession than otherwise; and though he had been led before, out of the opinion he had to do his country good by the establishment of the succession, and to deliver my Lord of Essex out of the danger he was in, yet now his life appeared to be safe, to restore his fortune only, and to save himself from the danger which hung over him by discovery of the former project, and to satisfy my Lord of Essex' private ambition, he would not enter into an enterprise of that nature.[2]

My Lord of Southampton when he went into Ireland took my promise (within those limits before specified) to do as much for my Lord of Essex as his cause should require, and my power could perform; upon which ground I wrate to my Lord of Essex about the end of April or beginning of May, not long after he had received my Lord Montjoy's answer. The effect of my letter was to signify the promise I had made to my Lord of Southampton, that if he had any cause to use me I might know it, for within a

[1] Here again the later copy is enlarged. The Adv. Lib. MS. (after "committed") proceeds,—"Leigh's answer was dilatory, the King not being ready to enter into that attempt till the garrison," etc.; and after "enterprise," adds, "And so that business ended."

[2] In this paragraph the two copies agree almost word for word. But at the end of it occurs in the Adv. Lib. MS. the passage already quoted, "I forgot to deliver in the beginning," etc. And the rest is so much altered and enlarged, that it will be most convenient to give the other version *in extenso*.

"My Lord of Southampton upon his going into Ireland, took my promise to perform anything within the former limits for my Lord of Essex, and to that effect recommended me unto him.

"When my Lord of Montjoy's answer came, that he would not stir in that sort as was required, I wrote to my Lord of Essex of my Lord of Southampton's weariness to stay in Ireland and his purpose to go into the Low Countries. My Lord of Essex answered that he desired that the Lord of Southampton should not go far, for though they were rejected, yet they might be of use one to the other.

short time I was purposed to go into the country. His answer was that at that time he had no cause. Not long after I sent him word that my Lord of Southampton had a desire to pass out of Ireland into the Low Countries, and from thence to sue for leave to travel further. His answer was that he desired not he should go far, for though they were then rejected they might be of use one to another. These two, as I remember, were all the letters which passed between my Lord and me before my going into the country, which in respect of the marriage of my Lord Harbert and other occasions that fell out, was deferred much longer than I intended. In the meantime of my stay, Mr. Cuffe, repairing to me as he was usually accustomed, had divers times speech with me discursively of my Lord's fortunes, what issue they were like to have, what he had cause to believe thereof, and that if he were rejected he thought he might find interest in Scotland, where it seemed my Lord held intelligence, whether by some second mean or directly I am not able to say.

In the meantime I understood both by him and others that my Lord, then expecting every day to be delivered from his keeper, was desirous to speak with me before my going away. Not long after my Lord was delivered from his keeper, Mr. Cuffe brought me word that my Lord was desirous to speak with me. I answered that I was likewise very willing to satisfy my Lord of his friends' carriage towards him during the time of his restraint. The time was appointed; and I, by Mr. Cuffe, was brought unto him. The substance of my first speech was to let him know how his friends had been unto him during his restraint, for that they had heard that he had condemned them of slackness and coldness. What the causes were that he was not

"My Lord of Essex being freed from his keeper, and Mr. Cuffe having repaired unto me, as he had usually done, discoursing of my Lord of Essex's fortunes, what issue they were to have, and what he had caused him to believe, and what he might do for himself, if he would stir in his own cause, especially by the means of Scotland, either it seemed by that he by some secret means had intelligence—

"Cuffe told me that my Lord of Essex was desirous to speak with me; and myself having received a letter from him to that effect, I was brought unto him by Mr. Cuffe. I certified him of his friends coming [carriage] towards him; I excused my Lord Montjoy for not satisfying his last request. The Lord Essex answered that he esteemed them as his best friends: that he would join with them in all things, that should be for their common good. That by Michaelmas he should make some judgment of his fortune. At that time the lease of his wines would expire. That by renewing of it, or taking it from him, he should perceive what was meant him. That whatsoever fell out, he would proceed by common consent with those friends.

"That I told my Lord of a purpose I had to go into Ireland to my Lord

satisfied for his going out of York House, nor by my Lord Montjoy in his last request, I assured him from them that they had been and ever would be very faithful friends unto him. I told him moreover that I purposed, unless unexpected business hindered me, to go into Ireland to see my Lord of Southampton and my Lord Montjoy, unto whom I had promised as much; that I knew they would be glad to hear that he conceived rightly of their merits towards him, and if he would send unto them anything else of the state of his fortunes I would deliver it unto them. After my Lord had answered these things, particularly in answering the imputation had been laid upon him of condemning them, and protesting that he esteemed them the best friends he had, and would ever run a common and united course with them touching his own fortunes, as I remember, he said, that at Michaelmas the lease of his wines ended, which was the greatest part of his state, that by the renewing it, or taking it from him, he should judge what was meant him; that about that time he expected there would be a Parliament; that if then he were not restored to his place and offices, of which he seemed much to doubt, he would for his own part give over the hope thereof. I remember very well he told me that for his own particular he could content himself with any fortune, but desired me to strengthen my determination of going into Ireland, and that I should communicate with his friends such things as he would think of for the good of his country, and for their common good and safety. Before my going from him, I remember he fell again upon the drawing over of the army. I wished him to put that out of his mind: what reasons soever there were besides, I knew my Lord

Southampton; that I would communicate his purposes to his friends; projects by way of parliamentary were debated.[a]

"That before the Earl was resolved I had a letter of my Lord of Southampton's departure out of Ireland.

"Mr. Cuffe was sent to me [*blank left in MS.*] with desire from my Lord of Essex that I should hold my journey, and to communicate this design unto my Lord Montjoy and my brother.

"That I should request from my Lord Montjoy—

"That at Michaelmas the lease of his wines did expire, and then he should make some judgment of his fortunes. That there would be about Michaelmas a Parliament called; and that himself and his friends would make a good party in the house, and propound some things for the common good of the state. That if he were kept from the Parliament by colour of his confinement, then he knew not certainly what course to take.

"That at my departing from him he was not certainly resolved what I should propound to my Lord Montjoy, but said he would send unto me his resolution by Cuffe.

[a] So MS.

Montjoy would never assent unto it. He then fell upon this project of the Court, and upon some courses by Parliament, which, as I remember, he did not explain. I answered him I would deliver any of those projects to his friends' consideration. He told me that he would think more of them, and would let me understand his mind more particularly by Mr. Cuffe before I went, or by letters after I were gone. This, as near as I can remember, was the substance of the conference between my Lord and me.

Within a day or two after, Mr. Cuffe came unto me to my mother's house at Kensington, either the day or the day before I went away into the country, and told me that my Lord desired I would hold my resolution of going into Ireland, to communicate what he had thought on here with his friends there. If they approved it, it was desired that my Lord of Southampton should come over, and that my Lord Montjoy, for my Lord of Essex better justification in whatsoever he did, should write a letter of complaint of the misgovernment of the state, and a summons to my Lord to do somewhat to redress it. My answer was that I did not think my Lord Montjoy would write so fully in that subject as was required; that within few days I would send to Mr. Secretary to let him understand of my purpose to go into Ireland; that if it were approved by him, as I did not think but it would be, (which he should perceive by his answer which my footman should deliver him,) my Lord having thought throughly in the meantime what he would have delivered to his friends, might give me directions accordingly. I heard that my Lord of Southampton was gone out of Ireland, whereupon I sent up again that the greatest part of the occasion of my going was taken away, both for mine own desire and for the business my Lord required, that therefore if it pleased my Lord I would stay, and that at the return of my Lord of Southampton they might

"That Cuffe came to me to Oxford with my Lord of Essex's desire that understanding my Lord of Southampton's departure out of Ireland, yet that I should hold my journey into Ireland, and communicate his designs unto my Lord Montjoy and my brother; which was of the set purpose by his friends to put himself again into the Court and to present himself unto her Majesty; and that my Lord Montjoy would write unto him a complaint of the misgovernment of the state and a summons unto him to do somewhat to redress it.

"My Lord Montjoy answered that he did not approve the project; but desired the Earl to have patience to recover again the Queen's ordinary favour. That at his coming home he would do for him like a friend; that if he sent for a letter, he would write unto him such a one as he might justify.

"At my return I did not find my Lord of Essex resolved upon the former project.

"Not long before Christmas it was feared by some of the Earl's friends that he should be committed, in regard of the resort unto sermons in his house; and then

resolve together what was fittest to be done for both their goods. Mr. Cuffe was returned to me to Oxford with my Lord's request that notwithstanding my Lord of Southampton's departure I would proceed in my journey, and communicate the projects with my Lord Montjoy, and procure his letter. I was still of opinion that my Lord should first expect the return of my Lord of Southampton. I would notwithstanding, to satisfy my Lord, go on, if by the return of my footman, whom I then sent to London, I should find my Lord's resolution continue.

My footman brought me the continuance of my Lord's desire, whereupon I went on. I communicated my Lord's requests and projects with my Lord Montjoy, whose answer was, that he did not approve the projects. He desired my Lord to have patience, to recover again by ordinary means the Queen's ordinary favour; that though he had it not in such measure as he had had heretofore, he should content himself. That at his coming home he would do for him like a friend. That he hoped my Lord would do nothing but that which should be justifiable in honour and honesty. In that confidence, if he sent for a letter, he would send him such a one as he might justify. After my coming back I imparted to my Lord of Essex my Lord Montjoy's requests, according as I promised my Lord Montjoy I would do, in very effectual sort. I imparted likewise that it was my brother's opinion, and I said as much to my Lord of Southampton. And for some time I did not find that my Lord did resolve of this or any other project, but hoped at the Parliament to be restored in some measure to his fortunes. And not long before Christmas, when it was feared by some of his friends that he should be committed, in respect of the resort unto his sermons, there was more thought of flying than of enterprising in this sort. But from a little before Christ-

there was more thought of flying than enterprising anything. But a little before Christmas the resolution was taken by his direction to his friends at Drury House."

Here the MS. ends, which I have seen (Adv. Lib. A. i. 34) and compared with Birch's copy. It is dated February 22nd; appears to be in a Scotch hand of the time; and is probably a copy of a confession taken down from the speaker's mouth by some one who could not write fast enough to keep pace with him. If the original should be recovered, I should expect to find interlineations in it and unfinished sentences, which the copyist has not understood, and of which the traces have been thereby lost. But I do not doubt that the date is correct. After Cuffe's answer to the articles proposed to him on Saturday (probably the 21st of February), Sir Charles Davers would naturally be examined without delay: what he said would of course be taken down at the time; but he might wish, or might be desired, to revise the report and, after further consideration, to draw up a complete declaration under his own hand.

mas or thereabouts, the resolution was taken as in my former confession is declared.

Your Lordships' most humbly to command,

C. DANVERS.

[*Indorsed.*]
1 Martii, 1600. Sir Charles Danvers' declaration.

V.

The Examination of HENRY CUFFE, *this 2 of March,* 1600.[1]

He confesseth that the matter concerning the Earl of Essex writing to Scotland was debated about Christmas last by the Earl of Essex, the Earl of Southampton, Sir Charles Davers, and this examinate, and that the minute of the letter was agreed on between them, and that John Littleton was acquainted with this counsel. And that this examinate was employed to meet Sir Charles Davers this last summer at Oxford, to whom he carried a letter from the Earl, where they two conferred at the Cross Inn, and agreed that Sir Charles Davers should go into Ireland and deal with the Lord Montjoy, that if the Lord Montjoy could not come over himself that he would write a letter to the Earl of Essex which he might show to the Queen, concurring in finding fault with the present government, but with this condition that it should not be showed to the Queen until the Earl of Essex were come to her presence; for which purpose he should send over divers captains and men of quality such as he could spare, presuming that those captains and men of quality being at Court beforehand, my Lord and his company coming to the Court might not be resisted either by the captain of the guard, or the guard, or any other. And saith that the Earl expected that when he came to the Court he should come in such peace as a dog should not wag his tongue against him. And saith, that after Sir Walter Raleigh had been removed, the Earl of Essex made a project that Sir William Russell should be Captain of the Guard; and after Sir Robert Cecil should be removed, Sir Henry Nevill or Mr. Bodley should be Secretary [but Mr. Bodley was not holden so fit];[2] and that further it was agreed between

[1] S. P. O. Original: in Coke's hand.

[2] Interlined in MS.

Sir Charles Davers and this examinate that Sir Charles should send John Littleton to London to the Earl of Essex, to be sent over into the Low Countries for the Earl of Southampton, who then was newly come out of Ireland. And further saith, that he first heard it from Sir Gilly Mericke [long before this][1] that the Lord Montjoy had sent to the King of Scots by Henry Lea; which he told upon this accident, in excusing the Lord Montjoy not to have dealt coldly with the Earl of Essex, for that then he had some other thing to do for him. He confesseth that Norton the bookseller carried the Earl of Essex letter to the Scottish King, which Norton received at the hands of the Lord Willoughby at Barwick, and that one part of the letter was to persuade the coming up of the Earl of Mar to London by the first of February. And that the Earl of Essex had under his own hand written instructions to the Earl of Mar,[2] which the Earl of Essex burnt.

And this examinate was acquainted that the King of Scots should return his answer in disguised words of three books, which the King did accordingly. And that was it which the Earl carried about him in a black purse. He hath often heard that Anthony Bacon [conveyed divers letters from the Earl to the King of Scots][3] was an agent between the Earl and the King of Scots, and so he was accounted.

HENRY CUFFE.

Ex[d] before us,
T. EGERTON, C. S.
F. BUCKHURST.
NOTINGHAM.
RO. CECYLL.

VI.

SIR HENRY NEVILLE'S *Declaration.*[4] 2 *March*, 1600.

Right Honourable, my duty and conscience binding me, besides your Honour's commandment, to declare whatsoever hath come to my knowledge touching the designs and the enterprises of the late Earl of Essex, I have faithfully set it down in this evil couched narration following; and not only that, but whatsoever else hath passed between me and him or any of his com-

[1] Interlined in MS.
[2] For the particulars of which see No. VIII.
[3] So written first, and struck out.
[4] From the original in S. P. O.

plices since my coming out of France, that your Lordships seeing all the circumstances that concern me laid open before you, may make the clearer judgment of my intention.

It may please your Honours to understand that at my arrival at London from Bulloigne, which was, as I remember, the sixth of August last, I met with a message which Mr. Cuffe (with whom I had had long acquaintance) left at my lodging the day before to this effect; that I had had evil offices done me, as my Lord of Essex was informed by his friends in Court, and that some great blame was like to be cast upon me for the breach at Bulloigne, as if I had by some particular evil carriage of mine given the occasion of it; which my Lord in good will was desirous I should know, that I might be prepared to answer it. Mr. Cuffe himself was then gone out of town to Oxford, as I remember it was said, but returned upon the Monday after, being the 10th or 11th of the month, and came presently unto me and renewed the same advertisement. But I had been in the meantime at the Court and found no such matter, but rather altogether the contrary, and so I answered him. But he said howsoever things were turned now, there was such an intention; and my Lord had received it from so good hand, as there could not be but some truth in it; and that my Lord in good will would have me know it, being one that he esteemed very much and was sorry to see so wronged. I answered that I did acknowledge myself very much bound to my Lord in it and did take it for a great argument of his good will and favour, which I would deserve with any service I could do him. Not long after this he brought me a letter from my Lord full of all kindness towards me, testifying his good conceit of me and his affection towards me, and that he desired my love and would hold it as a great treasure. I returned an answer with the best compliments I could, with such phrases and offers of service as are usual unto such persons and upon such kind provocations. Soon after my Lord went into the country, and myself likewise for a time; where although I remained within ten miles of him, and rode twice in the week by the park pale where he lay, I protest I never saw him, nor sent to him either to present or visit him, although I understood that most gentlemen in those parts did both.

But Cuffe came from thence once to my house, and brought me very kind commendations from my Lord, and purposed as it

seemed to have stayed two or three days with me, but that the next day I had occasion to ride into the vale, and so we parted at Netlebed. After this I saw him not till my coming to London, which was not till after the middle of October; where I had not been long but he came to see me, and moved me to come to see my Lord, saying that now he was at liberty and that all the world that would now came at him. I said I would find a time to come see him ere it were long; but yet upon some occasion of business I had, I put it off for four or five days. But at length he named me a time, saying that he had told my Lord I would come, and that he expected it and would marvel if I came not. He said that time would be very fit, and that he would desire my Lord to go to supper so much the sooner. He told me also he would appoint one to meet me and bring me in to my Lord's study. I came accordingly in the evening about eight o'clock as I guess, and was met by Glascocke my Lord's man, who conducted me, as Mr. Cuffe (he said) had directed. After some half-hour's stay or more my Lord came up, and received me very kindly, and entertained me with many questions of foreign matters; and some hopes of his own about the sweet wines, and otherwise to be restored to her Majesty's presence and favour ere it were long, and at length dismissed me with very kind offers, and brought me down himself to the back gate. But in all his talk I protest I did not hear him use any undutiful speech of the Queen or the state. After this visitation I protest I never spake with him, nor received any letter from him, nor he from me. Cuffe would come sometimes unto me. And when I asked him how his Lord's matters stood in Court, he would sometimes give show of hope and sometimes of despair. And at those times when he seemed to despair he would break out into words of heat and impatience: as namely once I remember he repeated this verse—*Arma tenenti omnia dat qui justa negat.* Whereunto I answered in French *tout beau,* he spake very big. And either at that time or another upon like occasion he said it made no matter, it would give my Lord cause to think the sooner of some other courses. About Christmas last, but whether before or after I do not well remember, he told me they were informed that there was a purpose to take some pretext to lay up my Lord of Southampton; and that they took it as a preface to the laying up of my Lord of Essex himself; but that he thought my Lord was resolved they

should never coop him more. With these uncertain and wild speeches he would sometimes entertain me, and never brake directly with me till the Saturday after Candlemas Term began, as I remember. And then I coming unto my lodging somewhat late in the evening found him there, where he had attended me an hour or two, as I learned. He desired me to walk up into my chamber, which he had not used to do before; and there he told me, after a preface of the confidence that my Lord had of my good affection towards the state and towards himself in particular, that his purpose was to make me privy to some designs he had both for his own safety and for the good of the state: wherein he would first assure me that there should be nothing intended or attempted against her Majesty's person or estate, and told me further that my Lord did not desire that I should embark myself into it further than I was willing, but that when I should hear it proposed I should consider of it and give him what advice I thought fit. And for that purpose he desired that I would meet as soon as might be with my Lord of Southampton and Sir Charles Davers, who should relate the particulars unto me. I told him that, with that limitation which he promised me that nothing should be attempted against the Queen's person nor her estate, I could be contented to hear what should be proposed, and would meet for that purpose the next day in the afternoon at Sir Charles Davers' lodging. But that day I was appointed to attend the Lords about French causes, where I stayed till it was late and so disappointed the meeting. The Monday and Tuesday I attended Mr. Secretary Herbert at the Doctors' Commons about an answer to be made to the French ambassador's complaints. The Wednesday we spent all the afternoon with the ambassador. The Thursday, Friday, and Saturday, I excused myself by reason of my private business. Yet upon the Friday or Saturday, as I remember, having understood that Sir Charles Davers was not at his lodging, I went that way and left word that I had been there to see him: which I did because I had been often solicited by Cuffe in the meantime about the meeting and told that they began to make an evil judgment of my delay. And when I answered that my Lord might as well deliver his mind to me by him as by them, he said my Lord had rather made choice of them than of him, to breed a confidence between them and me. And indeed Mr. Cuffe had been at least

two or three months persuading me to make acquaintance with my Lord of Southampton and Sir Charles Davers, who he said did greatly desire notwithstanding I still omitted it. And at length he brought Sir Charles Davers to my lodging about a fortnight after Christmas, when I protest there passed nothing but compliments and ordinary talk, and was the first time that ever I had spoken with Sir Charles Davers in my life. Upon Monday, being Candlemas Day, in the afternoon about four o'clock, as I was coming out of Serjeant's Inn, where I had acknowledged a statute before my Lord Anderson and sealed other writings, there came by in coach my Lords of Essex and Southampton, Sir Christopher Blunt and Sir Charles Davers, and went towards the Stran. And because I had told Cuffe that I would be there that day, and they had seen me so near, I went thence soon after to Drury House, and there found my Lord of Southampton with Sir Charles Davers; where after some ordinary salutations, because I had never spoken with my Lord since he was a child in my Lord Treasurer's house, my Lord began to break with me that my Lord had received by Mr. Cuffe so good a persuasion both of my love to him and of my honesty, discretion, and secrecy, that he had given him commission to reveal unto me a matter of great secrecy and importance; namely that my Lord finding his life sought by his enemies by undue means, and despairing of justice against them because they were so potent about the Queen, and did besiege her so as nothing could come to her knowledge but what they listed, was advised to make his repair to her presence to declare both his particular grievances and many other, which because he knew he should not be suffered to do in private sort, he was advised to go so well accompanied as he might not be kept from her. That for the effecting thereof it was proposed to send some forty persons in several companies to the Mews, who upon the discovery of my Lord's approach (who should come in coach, well attended, with my Lord of Southampton) should make on before to the Court gate and possess it. And some other of the company to be before in the hall of the Court, who upon the sight of their possessing the gate should make up into the Guard-chamber and seize upon the guards' halberds, and so be masters of that chamber. And in the presence that there should be some lords and others to welcome my Lord when he came, and to go in with him to the Queen and

countenance the action. Herein my Lord required my advice. I told him it was a matter of too great weight to be suddenly digested. But for the assurance Mr. Cuffe had given of me, if he had not exceeded his commission, which I hoped he would not being an honest man, I would perform what he had delivered from me. But for offering to draw my sword in the cause, I vow before God and his angels I never offered it nor ever meant it. Some objections and difficulties I proposed as upon the sudden, as namely these. That this was an action of the nature of those which, as Tacitus saith, *non laudantur nisi peracta*, and would be interpreted by the success. That it was full of difficulties and dangers; first, because it was almost impossible to prepare so many hands as should suffice for it without communicating it to so many as it must needs be revealed. Secondly, if any door were found shut upon them they were disappointed. And lastly, the City of Westminster was at hand, which though they should prevail at the first so far as to possess the gate, yet might quickly bring in force enough to dispossess them and pull them out by the ears. To the first difficulty they answered that they would not make their purpose known till the morning they intended to execute it; and that they would draw their company together upon some other pretext. To the second, that they hoped to come so unexpected, and those which they appointed to be before in course should be so vigilant, as there should not be time to shut any doors. And to the last, that being once in Court, and having the show of the state on their side, nobody would stir against them. Their end as it seemed was to seize on the persons of those they accounted my Lord's enemies, and to require justice against them, tendering other presently to supply their places. I cannot certainly say that they then spake of any Parliament to be called. But I am sure Cuffe did afterwards. In speech of their means I do not remember that they spake of above a hundred and twenty hands; some noblemen they named that they would take along with them, as among other my Lord of Rutland. But they said they could not trust him with the matter above two hours before they attempted it. They spake of seizing the Tower as a matter which they could do when they would by the means of Sir John Davies. But surely at that time they had resolved certainly, as it seemed to me, neither of the time nor any circumstance of their attempt. In conclusion

they prayed me to think of it, because it was new to me, and said that Sir Charles Davers should come unto me within four or five days under pretence of taking his leave of me, to have further conference of it. Since which time God is my witness I never saw either of them, or received letter or message from them or they from me. But Cuffe came to me within a day or two after, to whom I related what had passed at that conference, and said I could not nor would not give any approbation to any such enterprise unless the undertakers did all take a solemn oath not to attempt anything against the Queen's person or her estate, as they had done in the enterprise of *Amboise*, a precedent whereof was to be seen in the story. And further, seeing I perceived it was directed among other against Mr. Secretary, I said I would have no hand nor be an actor in it, because I was near allied unto him and had been beholden to him, as all the world took knowledge. And I would not blot my reputation to be false unto him or any man. And this I told him walking in the alley by the east wall in the garden of my lodging; and added these words, that they must *dare pudori* not to embark me into any action against him. He answered me that for the first I should make no doubt of it but I should be fully satisfied, and himself wished as well as I that it should be so. And for the second, I had reason and they would not press me. Only he wished I might be in the presence at the time when it should happen. And asking why? he said my Lord meant to name me among other to supply some place there, and he would have me at hand. And when I replied that I should be gone into France out of hand, and that my dispatches were signed, he told me I might feign myself sick if I were pressed to be gone; which notwithstanding I did not, as some of your Honours know, but solicited as much as I could possible to receive my money out of the Exchequer, as Mr. Skinner will testify, with a purpose to have been gone presently. So little will or purpose had I to have any partaking with the Earl even in that wherein he pretended mine own advancement. I remember that in some of his conferences with me about that time he moved me to sound a minister whom I was familiar with, how he stood affected to my Lord, and what he did conceive of the affection of the City to my Lord in his former troubles, which notwithstanding I did not. And indeed that minister was out of town all that while. He told me also that

there was a buz and a flying rumour that there was some practice against my Lord's person, which caused very many both noblemen and other to come and offer themselves to my Lord, and that there came more than they could tell well what to do with or how to put them off. About the middle of that week he told me that there had been warning given to the Mayor of London to look to the City, but that he made account that the affection of the City was sure unto my Lord, and that of twenty-four Aldermen they held themselves assured of twenty or twenty-one. The last time I spake with him he desired me from my Lord that although I would not be an actor myself in the matter, I would command my men if I were in the Court when my Lord came thither either to take part with him or at least not to take part against him. Whereunto I answered, Very well: which how he construed, I know not. But God is my witness that I neither did it nor ever meant it. And I humbly desire that my servants, if it be thought meet, may be examined of it.

Lastly, I vow and protest before Almighty God that I knew nothing neither of the matter, manner, time, nor any circumstance of their attempt that Sunday. But came that morning to the Court with Otwell Smith (as he can testify) to have spoken with Mr. Secretary about the merchants' causes at Rouen, where when I understood what course the Earl took, and saw the vizard taken from him and his true intents laid open which he had so disguised before with specious pretences and cloaks of religion and virtue, I detested him and his actions from the bottom of my heart, and remained in Court till ten o'clock at night with a purpose to have spent my life in her Majesty's defence, if there had been cause, as readily and as willingly as any man of my sort in the company. *Secundo Martii*, 1600.

HENRY NEVILL.

This was sent unto us by Sir Henry Neville sealed up.

THO. EGERTON, C. S.
T. BUCKHURST.
NOTINGHAM.
RO. CECYLL.

VII.

The Examination of Henry Cuffe, *Gent., this 2 of March,* 1600.[1]

He saith that when the Earl of Essex was in my Lord Keeper's house it was at some time resolved by the Earl of Southampton, Sir Christopher Blunt, Sir Charles Davers, Sir Gillie Merieke, and others, that the Earl should escape out of the Lord Keeper's house, and should take sea either at Portsmouth or in Wales, and this Sir Gillie Merieke signified in a letter to the Earl of Essex, as the Earl of Essex told this examinate, and this was between Michaelmas and Christmas, when the Earl was in the Lord Keeper's house, but the Earl himself told this examinate that they themselves that had so resolved had broken it off again, and thought it not fit to proceed in that manner.

He saith that while the Earl was in the Lord Keeper's house, Sir Henry Bromley came to this examinate into the garden at York House, and there protested and vowed his affection to the Earl of Essex, and that Religion and the common good depended on his private, and saith that he found Sir Henry Bromley so forward as he never moved him to give any assistance to the Earl.

He confesseth that Sir Henry Nevill, shortly after his coming out of France, signified unto me that he was desirous that the Earl should hold a good opinion of him, and afterwards understanding that divers came to visit my Lord, himself came to Essex House one night, where he conferred with the Earl privately alone about nine of the clock in the night, and continued until ten. But what passed between them he knew not, but thinks nothing but compliments and foreign occurrents; and the Earl brought him down to the back gate when Sir Henry for that time departed. And saith that before Sir Henry came to the Earl, the Earl sent this examinate to Sir Henry to let him understand that the Earl was advertised from the Court that divers exceptions were taken at Court against his services in France, which this examinate went and delivered to Sir Henry Nevill accordingly; but by whom the Earl received this advertisement, whether from Sir William Knollis or any other he knoweth not.

[1] Original in S. P. O.

And after Sir Henry had been at the Court, he told this examinate that he had been graciously used, and his services well accepted of at Court, and being demanded what answer he made thereunto answereth he knoweth not.

And saith that he thinketh the action of the Earl was as traitorous as may be, and that he by no means will or can justify the same; and so soon as this examinate heard of the proclamation, this examinate said he was a traitor. The declaration of Sir Henry Nevill of the 2nd of March, subscribed by the Lord Keeper, the Lord Treasurer, the Lord Admiral, and Sir Robert Cecil, her Majesty's Principal Secretary, is in substance and effect true.

He saith that about a fortnight before the Earl's rising, Sir Henry Bromley signified to this examinate his great affection to the Earl of Essex and offered his services to the Earl, and said that the danger of the Earl was the danger of them all, and wished that they had him beyond Severn, and they would [keep] him safe enough.

HENRY CUFFE.

THO. EGERTON, C. S.
T. BUCKHURST.
NOTINGHAM.
RO. CECYLL.

VIII.

HENRY CUFFE *to* SIR ROBERT CECIL.[1]

Right honourable, my most humble duty premised, it is now high time that he whom public justice hath pronounced the child of death should with the soonest lay aside all cares of this life, reserving himself wholly for that one which the only author of life hath honoured with this testimony, that *unum est necessarium*. For the better attending whereof, and avoiding all future worldly distractions, I have resolved, upon your Honour's commandment, to perform this last duty by writing, which of late I have often wished to tender to your Honour by word of mouth. At the time of my last examination in this house, it pleased your

[1] From Hatfield MSS., vol. lxxxiii. No. 99 (2). Printed for the Camden Society, 1861. Correspondence of James VI. with Sir Robert Cecil, p. 81.

Honour to demand of me the sum of those Instructions which my late Lord and Master had made ready against the coming of the Scottish ambassador, whom he daily expected. Being at that time wholly possessed with exceeding grief, I could yield your Honour with the rest of the Lords very small satisfaction. In regard whereof I have ever since much desired some private access to your Honour, but being utterly out of hope of so great a favour, and being now called on by Mr. Lieutenant to perform my promise made unto your Honour at the time of my condemnation, I have thought it necessary to present unto your Honour the effect of those instructions, observing, as far as my memory will serve me, the very words of the original itself.

Instructions for the Earl of Marre.

That the King his master thought it necessary to beseech her Majesty to declare his right to the succession of this Crown, not because he observed in her Majesty any want of princely favour and affection towards him, but because he hath found by infallible proof that some very gracious with her Majesty, being of extraordinary both power and malice, will not fail one day, if God prevent it not, to make their advantages of the uncertainty of succession, not only to the prejudice, but also to the evident hazard and almost inevitable ruin, of the whole island.

For proof of their power there needeth no long discourse, all means in all parts and quarters of this realm being in a manner wholly in their hands. In the West, Sir Walter Ralegh commanding the uttermost province, where he may assure the Spaniard his first landing, if that course be held fittest, being also captain of the Isle of Jersey, there to harbour them upon any occasion. In the East, the Cinq Ports, the keys of the realm, are in the hands of the Lord Cobham, as likewise the county of Kent, the next and directest way to the imperial city of this realm. The treasure, the sinews of action, and the navy, the walls of this realm, being commanded by the Lord Treasurer and Lord Admiral, both these great officers of state and the rest above-named being principally loved by the principal Secretary, Sir Robert Cecil, who for the further strengthening of himself hath established his own brother, the Lord Burghley, in the government of the North parts; and in the Presidentship of Wales, now void, will undoubtedly place somebody who shall merely ac-

knowledge it of him. As likewise, in Ireland, he hath already procured for Sir George Carewe that province which of all others is fittest for the Spaniard's designs, in whose hands, if the commander himself may be believed, there is a greater army than he needeth; to omit that the said Sir George is shortly in expectation to succeed to the government of that whole kingdom, upon the recalling of the now Lord Deputy.

That their malice towards that King was no less than their power, it appeared, first, that some of them had given direct proof of their ill affection by ill offices, etc. [This point was left to the Ambassador, because the Earl of Essex was informed that the King was able to produce clear evidence thereof.]

Secondly, because all their counsels and endeavours tend to the advancement of the Infanta of Spain to the succession of this Crown.

This point was confirmed by nine arguments.

1. Their continual and excessive commending of the excellencies of the Infanta, and seeking by all means to breed both in her Majesty and in all others an extraordinary good opinion of her.

2. The earnest seeking to revive the treaty lately broken, notwithstanding it was interrupted by the Spaniard not without some disadvantage offered to this crown.

3. The speech of a principal Councillor[1] to an honourable personage, That though he knew there could no sound peace be made betwixt us and Spain, yet for the better compassing of some purposes he could be willing to entertain the treaty again.

4. The slack and easy hand that hath been lately carried towards the priests of the Jesuitical faction, of all others the most pernicious, which can have no other interpretation but that the Popish faction favouring the Infanta, which are in effect as many as the Jesuits can prevail with, might depend on them as on their chief protectors.

5. The speech of Mr. Secretary to a Councillor of State, that he could prove the Infanta's title to be better than the title of any other competitor to the crown.

6. The speech of the Lord Treasurer, who, upon news that the Archduke was hurt, and as some thought slain, in the last year's battle at Newport, answered that if he were slain he thought her Majesty had lost one of her best friends.

[1] As I remember he said he meant it of your Honour.

7. The alteration of their proceeding with Alabaster, and one Rollstone, who have always found more and more favour since they professed themselves to have been agents for Spain.

Two more reasons there were which I cannot now call to mind.

Whether amongst so many other things of importance wherewith he lately acquainted your Honour and the rest of their Lordships, any of these reasons and instructions were by him remembered, I know not; only, because your Honour and their Lordships did at that time earnestly press me to deliver the sum of them, I have endeavoured to give your Honour the best satisfaction I could, being verily persuaded that this abstract doth in sense very little differ from the first draft.

Of mine own particular, being no less destitute of hope than of comfort in this world, I dare say nothing. Only I beseech your Honour let it not be thought presumption to add thus much in general; That if the King of Kings thought it for his glory, when he found least merit to extend his greatest grace, your Honour will account it no small resemblance of that divine pattern, if his royal lieutenants, and their principal ministers upon earth, having laid prostrate humble offenders at the feet of Justice, shall be contented to surrender up the sword of Justice into the hands of Mercy. Thus most humbly beseeching your Honour to vouchsafe me your favourable opinion at my last farewell out of this miserable world, I rest

Your Honour's most humble
and most distressed suppliant,
HENRY CUFFE.

IX.

Examination of SIR CHRISTOPHER BLUNT,[1] *Knight, taken before those whose names are underwritten.*[2]

He confesseth that at the Castle of Dublin, in that lodging which was once the Earl of Southampton's, the Earl of Essex purposing his return into England advised with the Earl of Southampton and himself of his best manner of going into England

[1] Printed for the Camden Society from the original, Hatfield MSS. vol. lxxxiii. No. 82.

[2] The names were not added.

for his security, since to go he was resolved. This was some days before the Earl's journey into the North.

At that time the Earl propounded his going with a competent number of soldiers, to the number of two or three thousand, to have made good his first landing with that force until he could have drawn to himself a sufficient strength to have proceeded further. From this purpose this examinate did use all forcible persuasions, alleging not only his own ruin which should follow thereof, and all those which should adhere to him in that action, but urged it to him as a matter most foul, because he was not only held a patron of his country (which by this means he should have destroyed) but also should have laid upon himself an irrecoverable blot, having been so deeply bound to her Majesty: to which dissuasion the Earl of Southampton likewise inclined.

This design being thus dissuaded by them, then they fell to a second consideration, and therein this examinate confesseth that he rather advised him, if needs he would go, to take over with him some competent number of choice men, who might only have secured him from any commitment to prison, if he had not found her Majesty gracious, except it were no further than to the house of the Lord of Canterbury, the Lord Keeper, or his uncle.

After this examinate came to London, and heard amongst some of his honourable friends that my Lord had an intention to free himself and come down into the country, he said he was sorry that he had not held on his course, fearing by that he had heard him speak many times before of the King of Scots and of the protestation of the King's love to him, that he might some way have endangered himself by practice there (so far) as to be in danger of his life, which he knew then his own conscience must have accused him, that his former dissuasion and advice of his manner of coming had been the occasion of his coming into that danger whom he loved so dearly. Whereupon this examinate with others had once resolved with others to have freed him and carried him away with some sixty horse into Wales.

He saith on Saturday there was no certain day set down for his rising, more than that it should have been done between that and the end of the term.

But afterwards, when Mr. Secretary Harbert had been there, then there fell questions what were fit to be done for his security,

and so it was resolved by some (if there were a new sending) that he should go into the City, of which the Earl made himself most secure by such messages as he told this examinate had been sent unto him that night, but from whom particularly he is loth to venture it on his conscience, but by the sequel it appeared to be the Sheriff Smyth, whom before the Earl had often named unto him, that he was a Colonel of a thousand men and at his command.

For the matter of Lee, he confesseth that he had order from my Lord to let Captain Thomas Lee go to Tyrone whensoever he should come to him to require it, and afterward Lee came to him at London, and told him my Lord would have this examinate take it upon him; which was after my Lord had been charged with it before the Lords.

That in all projects of blood, whensoever there was any plots spoken of, he protesteth on his soul he was ever a dissuader.[1]

He did not name unto him any particular power that would have come to him at his landing, but assured himself that his army would have been quickly increased by all sorts of discontented people.

He saith also that he liked not to have had him go into the City upon those small assurances, to which he gave no credit, but rather told Sir John Davies it were a much better course if he did first send for his horses into his own court, of which he could have made presently a hundred and twenty, as he thinketh, and then to have put Sheriff Smyth to it to have sent him five hundred foot.

This examinate confesseth that, to his remembrance, even at his going into Ireland he confessed to have practised with Scotland.

He did confess before his going that he was assured that many of the rebels would be advised by him, but named none in particular.

He doth also desire that her Majesty may be informed of such

[1] On reconsideration Sir Christopher added here the following paragraph: "when upon advice he had thought of it, though when such courses were spoken of he gave his allowance against the Secretary, where upon my soul I presently repented me, and never after gave my allowance to any villainy of that nature, neither did I think till upon reading this again my heart could have been so vild as ever to have conceited such a horrible fact, whereof I do infinitely repent me, and on my bare knees at my next seeing of him will ask him humbly pardon.

"Chr. Blounte."

other things as he hath verbally delivered, and lastly that her Majesty may be particularly informed and remembered of those great services which he did in laying the way open to the Earl of Leicester and Mr. Secretary Walsingham for the discovery of all the Queen of Scots' practices, for which her Majesty was at that time (when the Earl of Leicester went into the Low Countries) very unwilling to have suffered him to have gone from her attendance.

He doth now desire that seeing the fountain of all this great treason is dried, that her Majesty, whose heart he knoweth to be full of mercy, will vouchsafe to have mercy upon him, protesting that he cannot think, if her Majesty knew his own unspotted dear heart to her, and what he would do for her, she would not take his life for a million.

CHR. BLOUNTE.

[*Indorsed by Sir Robert Cecil,*]

7 Martij,[1] 1600.

The examination of Sir Christopher Blunt.

X.

Confession of HENRY EARL OF SOUTHAMPTON.[2]

At my first coming out of Ireland, and upon the commitment of my Lord of Essex, my Lord Mountjoy came to my lodging to Essex House, where he told me that he had before his coming foreseen his ruin, and desiring to save him if it mought be, had sent a messenger to the King of Scots to wish him to bethink himself, and not suffer, if he could hinder it, the government of this state to be wholly in the hands of his enemies; and if he would resolve of anything that was fit, he should find him forward to do him right, as far as he mought with a safe conscience and his duty reserved to her Majesty; that he expected within a while after to receive answer, which when he did I should know it. Not long after, he told me he had heard from him, and showed me a letter which he sent him, wherein was nothing but compliments, allowing of his reservations, and referring him

[1] This I am informed by Mr. Bruce was the date originally written by Cecil; but another pen and ink has struck it out and written "Feb. 13." A mistake, whoever made it.

[2] Printed for the Camden Society from the original: Hatfield MSS. vol. lxxxiv. No. 19.

for the matter to the bearer, who delivered unto him that the King would think of it, and put himself in a readiness to take any good occasion: whereupon he sent him again with this project, that he should prepare an army at a convenient time, declare his intent, that he would be ready to assist him with the army in Ireland, whither he was going, and mought for the healfe[1] of those do that which was fit in establishing such a course as should be best for our country, holding ever his former reservations. At this time I likewise wrote a letter to the King, professing myself to be willing to do him service, as far as I mought with my allegiance to her Majesty, and by the messenger sent him word that I would assist him with my endeavours and my person.

To this dispatch we received no answer during the time of his abode here; but within a while after, the messenger returned, and brought for answer that he liked the course well, and would prepare himself for it; but the year growing on, and it being thought by Sir Charles Danvers that the army of Ireland would suffice alone, I made my Lord of Essex acquainted by letters, he being then at Essex House, what had been done, and that opinion he allowed of, and it was resolved I should break the matter to my Lord Mountjoy at my coming into Ireland, which I did, and he utterly rejected it as a thing which he could no way think honest, and dissuaded me from thinking of any more such courses, which resolution I took, and wrote over to Sir Charles Danvers here what I found, and that I had given over thinking of such matters; whereupon, willing to spend my time in her Majesty's service, to redeem the fault I had made in thinking that which mought be offensive to her, I was desirous to seat myself in Ireland, so that the Deputy making a motion to me to stand for the government of Connaght, I desired that he would move it, meaning, if I could obtain it, to settle there; which being denied me, and I unable to live at so great a charge as I could not choose but be at there, I resolved presently to go into [the] Low Countries, leaving him, and parting myself without any imagination (as I protest before God) to think any more of matters of that nature, but resolving to take my fortune as it should fall out, and as by my merit her Majesty should hold me worthy; or if the worst happened, that her Majesty should con-

[1] So in the printed copy. Qy. *behalf?*

tinue her displeasure against me, which I hoped would not [be], to retire myself into the country, and live quietly and pray for her. I do protest also before God, I left the Deputy, as I thought and so I assure myself, resolved to do her Majesty the best service he could, and repenting that he had ever thought that which mought offend her.

I went into the Low Countries with that mind, and so continued until, a few days before my coming thence, Mr. Littleton came to me, as he said from my Lord of Essex, and told me that he was resolved on the course which is confessed for his coming to the Court; at the hearing of which I protest before the majesty of God I was much troubled in my heart, yet because he protested in it all sincerity and loyalty[1] to her Majesty, I sent him word that I would at any time venture both my fortune and life for him, with anything that was honest. Upon my first seeing him he confirmed as much, and what passed afterwards concerning that I need not speak of, it being so well known.

Mr. Littleton likewise told me that Sir Charles Danvers was sent into Ireland by my Lord of Essex to persuade my Lord Mountjoy to write a letter to him, wherein he should complain of the ill government of the state, and to wish that some course mought be taken to remove from about her Majesty's person those which were bad instruments, protesting that it should never be known till he had been with her Majesty and satisfied her of his intent, and then he would show it her, that she mought see that not only himself, who perhaps she would think desired it by reason of his discontentments and private offences, but also those that were in good estate and in her favour wished too. I then told him that I did not think my Lord Deputy would do it, for I let him know how I left him, and that I did not think there was any spirit in him to such a course. Within a while after I came into England, Sir Charles Danvers returned and told me that he found my Lord Deputy much against any such course, and that he had set his heart only upon following of the Queen's service, and thought not of any such matters; but if he would needs run that course (which he did not like and gave him [for] lost in) he should send him word, and he would write to him; this he told me he yielded to very unwillingly, and

[1] *sincerely and loyally*, in the printed copy.

withal told him that if any there of his followers would go over, he would not hinder them.

For that which was projected for my Lord of Essex escape out of my Lord Keeper's house, I protest before God I always dissuaded from it; and the same evening before, not three hours before it should have been attempted, I protested against it under my hand and so brake it, incurring much imputation amongst them for want of affection to my Lord, and slackness to do him good.

This have I set down all truly as I can remember it, without either wronging any or favouring myself; and will only conclude with this, that I protest before the Almighty God I never set any of these things on foot, or being projected did instigate any to follow them, nor never bare disloyal or unreverent heart to her Majesty, but was drawn into them merely by my affection to my Lord of Essex, whom I thought honest to her and to her state; and, had I not been invited when I was in the Low Countries to this last work, for which I was directly sent by my Lord of Essex, the world should have witnessed with me the duty I had borne to her Majesty, and I did not then doubt but with my honest endeavours in her service in few years to have deserved forgiveness of my former offensive thoughts, which I am now by my accursed fortune cut off from. I do therefore now prostrate myself at her Majesty's princely feet, with a true penitent soul for my faults past, with horror in my conscience for my offences, and detestation of mine own life if it be displeasing unto her. I do with all humility crave her pardon. The shedding of my blood can no way avail her; my life, if it please her to grant, shall ever be ready to be lost in her service; and let my soul have no place in Heaven if ever I harbour thought in my heart which I shall think may be any way offensive unto her, but remain to the end of my days as honest and faithful a subject unto her as is in the world; and I do on the knees of my heart beseech her Majesty not to imagine that these are the words of a condemned man, who, fearing death, would promise anything, and afterward, being free, would as soon forget it. O no! The world will witness with me that in her service I have given sufficient testimony more than once that I fear neither death nor danger, but they are protestations that proceed from the honest heart of a penitent offender. O, the King of Heaven hath pro-

mised forgiveness of their sins that with sorrow and faith ask pardon, and I that do know her Majesty to be gracious, and do with so grieved a mind beg forgiveness, cannot despair, but hope that the God of Mercy, who doth never shut his ears to the afflicted that cry unto him, howsoever they have offended, nor is ever weary of being compassionate to those which unfeignedly repent and call to him for grace, and hath promised forgiveness of sins to those that forgive in this world, will move her Majesty to pity me, that I may live to make the world know her great merit and serve her; for whom I will ever pray and live and die her humble, loyal, and faithful vassal.

[*Unsigned.*]

There be two things which I have forgotten to set in their right places, your Lordship must be therefore pleased to take them in this postscript. One is, that not long before the day of our misfortune my Lord of Essex told me that Sir Henry Nevill, that was to go ambassador into France, was a man wholly at his devotion, and desired to run the same fortune with him, and therefore he told me that he would appoint him to come to my lodging in Drury House, and I should make him acquainted with his purpose of going to the Court, which I did accordingly, after this manner: I told him I had understood by Cuff (who had likewise made me know his disposition) that he had devoted himself to my Lord of Essex, and that he desired to engage himself in anything whereby his fortune mought be re-established. If it were so, I had somewhat to say to him from my Lord of Essex, and therefore wished him to let me know his mind. He answered me, that what Mr. Cuff had said he would perform, therefore desired me to say on. So I delivered unto him what my Lord of Essex intended, which he allowed of, and concluded that when he should be appointed, he would be at the Court before, to give him furtherance with himself and his people. The other is, that not long ago my Lord of Essex wrote to the King of Scots which he showed me, of three sides of paper and more, the effect of which as I remember was to discredit the faction (as he termed it) contrary unto him, and to entreat him to send hither the Earl of Marre with commandment to follow those directions which he should give, and withal in what words he should give him notice if he would perform it; which he received, and that was it he

ware in the black purse about his neck. He drew also, as he told me, instructions for him against his coming, but I never saw them. Thus have you, I protest before God, all that I remember or do know, wherein I once again beseech your Lordship to mark that I have never been mover nor instigator of any of these things, but drawn into them by my best friends.

XI.

With respect to the measures taken by Essex to prepare the citizens for some action in his behalf, a letter addressed by one Dr. Fletcher to the Council on the 3rd of March, 1600-1, affords some additional evidence. The original is in the State Paper Office: entitled "Dr. Fletcher's Confession." It is all in his own handwriting, and appears to be a very sincere and direct letter.

It states that on the Thursday or Friday before Essex's insurrection, Mr. Temple told him that there were certain Jesuits or seminary priests who had vowed to kill the Earl, and cast abroad libels to make him odious.

That on Saturday night Mr. Temple came again when he was in bed, and was so urgent to speak with him that he was shown into his room, and told him how the Earl had been sent for to the Council, and how he had received notice from a friend in Court that the way was laid for him by Sir Walter Raleigh and his company, and that if he went he should surely be murdered.

That on Sunday Mr. Temple told him how Sir W. Raleigh and his company had set upon the Earl in his own house, to have murdered him in his bed, etc.

That Mr. Temple said nothing to him about the Earl's coming into London in that manner, neither did the Earl: "knowing well that I would not endure to hear such things and not reveal them."

"The greatest matter," he proceeds, "I could suspect out of these reports (which I now see to be very fables and devised matters) was that some great quarrel and open fray was like to break out betwixt the Earl and Sir Walter Raleigh.

"And as touching Mr. Temple, in the reporting of these devices I do yet think (not knowing the contrary) that, having been ever accounted an honest man, he was deceived and abused by the Earl that he might deceive and abuse others."

The rest is about the feelings of the Aldermen, etc.

The "Mr. Temple" alluded to was I suppose *Edward* Temple, the writer of the following letter; the original of which is still in the State Paper Office, docketed

"ED. TEMPLE, *his Letter to one* WESTWOOD."

Mr. Westwood,

About three days since my Lord of Essex was informed that there were lying here in the city Jesuits who had conspired his Lordship's death. And yesternight late his Lordship received intelligence from the Court that if his Lordship did once stir out of Essex House he should be murdered. But that I have order to go with these advertisements to divers of my Lord's friends, I would have signified this to you by word of mouth.

So I rest your true and loving friend,

[*Addressed,*] ED. TEMPLE.

To his loving friend Mr. Ed. Westwood, Goldsmith, at sign of the Hare in Cheapside, give this.

There was another Temple (William) in Essex's service at this time, who was also called in question; and who in a letter to Cecil (Add. MSS. Br. Mu. 4160, No. 78) protests his innocency touching the late fact: that "he was never admitted to any conference; had no hand in the contriving of any plots; was never made acquainted with them; never wrote, sent, or carried any letters for the furtherance thereof; never delivered speech or message with intent to stir the citizens: assisted not the action either publicly in the City or privately in the House."

XII.

DR. TIMOTHY WILLIS[1] *to* SECRETARY CECIL.

Yesterday at night being the 9th day of this present February I supped at the house of a merchant called Edward, which dwelt at Elbing at my being there. He hath in his house a kinsman of his wife's named Tho. Lewis, who was present in Grace Church Street in London when Sir Richard Martin the Alderman persuaded the said Earl of Essex to submit himself to her Majesty's authority (or to that purpose) and to dismiss his company. To which the Earl answered, that now or never is the time for you to pursue your liberties, which if at this time you forsake you are

[1] "Of St. John's, Oxford, B.A. 10 April, 1582, made Dr. of Laws by Queen's Diploma and sent ambassador into Muscovy."—Note by Dr. Birch. Addl. MSS. Brit. Mus. 4160, No. 68.

sure to endure bondage: for you are sold for slaves to the Infanta of Spain. After which speeches the Earl walked through most places in the City, and at last turning towards the Three Cranes in the Vintry, found there some few assembled, to which he gave place and took water at the next place. All this was done within the view and by the attendance of the Lord Mayor, and where he had ready power sufficient to have surprised a far greater power.

Mr. Richard Lovelace's *Declaration*.[1]

At my coming with the Council into Essex House, being commanded so to do by Sir John Skidmore, there came to me the Lord Monteagle, requiring me to go with him and take such fortunes as they did. Then Sir Charles Davers used persuasions, saying unto me they had assurance of the City and the country, and all would join with them. Afterwards Sir John Davies came to me with great confidence, saying such order was taken on their sides both in the City and country, that there would be no resistance against them. Words did they use to this effect. Notwithstanding I refused to go with them, and was prisoner there with the Council and returned with them to the Court.

[1] Add. MSS. 4160, No. 69.

6.

The reader is now in a condition to judge for himself how far the official narrative is borne out by the depositions. He has both before him side by side, as nearly in their original state as modern orthography and typography permit,—in all substantial points, I venture to say, represented with scrupulous fidelity,—discrepancies pointed out, omissions replaced, and entire declarations produced which were withheld at the time for reasons no longer applicable;—and if the effect of the evidence so set forth is in any material circumstance misrepresented in the statement published by the Government, there can be no longer any difficulty in pointing out how and where.

So far as I can see, the only considerable correction which Bacon's narrative requires tends to confirm the substantial truth of the rest, and to relieve it from the charge of putting a construction upon Essex's conduct worse than the facts seemed necessarily to involve. I allude to the *time* at which the Earl is said to have communicated to Blount and Southampton his project of returning to England at the head of his army and so bringing the Government to conditions. It happens singularly enough that until the discovery of the Hatfield copy of Sir Christopher Blount's examination, bearing his own signature, for which we are indebted to Mr. Bruce, none of the reports either of his confession or of Southampton's gave the exact date of that communication, either directly or by implication. Bacon, it seems, supposed that it took place *after* the parley with Tyrone, and that the parley itself was a preparative towards it.[1] I was myself rather disposed to connect it with the receipt of the Queen's letter of the 17th of September, and to take it for a sudden plunge out of a hopeless embarrassment.[2] It now appears, if there be no error in the signed examination (and Mr. Bruce assures me, upon a second reference, that the words of the MS. are clear), that the project was not only meditated but announced "some few days *before* the Earl's journey into the North:" some few days therefore before the end of August; at which time not one of his requisitions had been refused, nor one of his plans of action interfered with. He had been forbidden, it is true, to leave his post without licence; but he had received from England all the reinforcements he had asked for; he had obtained authority not a month before to raise an additional force of 2000 men in Ireland; and he not only still retained all the unusually large powers with which he had been sent out, but was at that very time expected, encouraged, and extremely wished by the Government to make himself as strong as possible for the coming encounter with

[1] See above, p. 256.

[2] See above, p. 147.

Tyrone. That he should have meditated such a use of these forces *at such a time*, is a fact which certainly tells formidably in favour of the darkest view of the spirit and purposes with which he undertook the service; and the error (if it be an error) as to the date of the communication I can only account for by supposing that Bacon took his information from Coke's rough memorandum of Blount's confession (for which see note, p. 313) and was not in possession of the fuller copy of the examination. It is easily conceivable that among so many papers one may have been mislaid or overlooked, and the existence of another copy which contained all that was most material in it (this date excepted) may have prevented the oversight from being detected.

As the case stands however, it seems that this correction must be made: for we have no evidence, with equal pretensions to authority, which is inconsistent with it; and it is difficult to conceive an oversight in such a matter. In Bacon's narrative the correction may be introduced without disturbing the rest of the story. My own I have been obliged to leave as it was: for the fact is incompatible with the theory I had formed of the Earl's proceedings, and could not be incorporated into my account of them without more extensive alterations than the state of the press permitted. In all other respects the "additional evidences" will be found I think to confirm the official narrative.

7.

With the publication of the Declaration of Treasons, as now set forth, the history of the relation between Bacon and Essex may be considered as concluded and complete. For though I shall have to recur to it hereafter in connexion with the 'Apology'—a work which belongs to a later period—I shall have nothing material to add; having already taken into my account the disclosures for which we are indebted to that very interesting narrative. In a note to Dr. Rawley's 'Life of Bacon'[1] I said that I had no fault to find with him for any part of his conduct towards Essex, and that I thought many people would agree with me when they saw the case fairly stated. Closer examination has not at all altered my opinion on either point. And if I have taken no notice of what has been said on the other side, it is because I do not wish to encumber this book with answers to objections which a competent judgment would not raise; and I cannot think that any of the objections which have been urged against Bacon's conduct in this matter would naturally suggest themselves to a reasonable person in reading the story as I have told it.

[1] Works, vol. i. p. 6.

8.

In all attempts to arrange papers according to their strict chronological sequence, this difficulty will from time to time present itself: what is to be done with those of which the true date cannot be ascertained or guessed? Several cases of this kind have been already dealt with, in a manner and upon grounds which I have sufficiently explained in the several places. But I find two letters remaining undisposed of, concerning which I can only be sure that they were not written *after* the time at which we have now arrived; and five more which do not seem likely to belong to a later date. I have therefore thought it most convenient to introduce them all here.

That the two first were not written later is proved by this: that one of them is addressed, and the other contains an allusion, to Anthony Bacon; who (as I have already incidentally mentioned[1]) died before the 27th of May, 1601, and of whom I shall have something to say in the next chapter.

An entry in Watt's 'Bibliotheca Britannica' among the works of Robert Southwell,—viz. "Supplication to Queen Elizabeth, printed in 1593"—led me long ago to hope that some light might be thrown on the first by reference to that work; but though I have been on the watch for news of it, I have not succeeded either in meeting with the Supplication itself or in learning anything as to its character. In the absence therefore of all means of guessing at the subject of the communication, I must content myself with printing the letter as I find it; hoping that if anybody has a copy of the thing referred to, he will consider that the publication of these few lines has given it an interest which it did not possess before.

FRANCIS BACON TO HIS BROTHER.[2]

Good Brother,

I send you the Supplication which Mr. Toplife lent me. It is curiously written, and worth the writing out for the art; though the argument be bad. But it is lent me but for two or three days. So God keep you. From Gray's Inn this 5th of May.

Your entire loving Brother,

FR. BACON.

[1] See above, p. 234.

[2] Lambeth MSS. 657. 27. Original: own hand: written in extreme haste; and docketed, "De Monsr Fr. Bacon, le 5me May."

The next is addressed to Sir Thomas Lucy;—eldest son, I suppose, of Justice Shallow. For I find in Burke's 'Commoners of Great Britain' that Sir Thomas Lucy, knight, of Charlcote, who succeeded his father in 1600, had by his first wife a daughter (Joyce) who married Sir William Cook, knight, of Highnam. Sir William Cook may have been one of Bacon's kinsmen by the mother's side, and his approaching marriage with Joyce Lucy may have been the occasion of this letter: which comes from the supplementary collection in the 'Resuscitatio.' It is sufficiently intelligible as it stands; nor have I any reason to suppose that a more complete account of the relations between the parties, of their previous history and subsequent journey together through this transitory life, would add anything material to the little interest which it still retains for us, as an agreeable and very characteristic letter.

To Sir Thomas Lucy.[1]

Sir,

There was no news better welcome to me this long time than that of the good success of my kinsman; wherein if he be happy he cannot be happy alone, it consisting of two parts. And I render you no less kind thanks for your aid and favour towards him than if it had been for myself; assuring you that this bond of alliance shall on my part tie me to give all the tribute to your good fortune upon all occasions that my poor strength can yield. I send you, so required, an abstract of the lands of inheritance; and one lease of great value which my kinsman bringeth; with a note of the tenures, values, contents, and state, truly and perfectly drawn; whereby you may perceive the land is good land, and well countenanced by scope of acres, woods, and royalties; though the total of the rents be set down as it now goeth, without improvement: in which respect it may somewhat differ from your first note. Out of this what he will assure in jointure, I leave it to his own kindness; for I love not to measure affection. To conclude, I doubt not your daughter mought have married to a better living, but never to a better life; having chosen a gentleman bred to all honesty, virtue, and worth, with an estate convenient. And if my brother or myself were either thrivers or fortunate in the Queen's service, I would hope there should be left as great an house of the Cookes in this gentleman as in

[1] 'Resuscitatio,' Supplement, p. 92.

your good friend Mr. Attorney-General. But sure I am, if Scriptures fail not, it will have as much of God's blessing; and sufficiency is ever the best feast, etc.

The next is from the original, found among the Burghley papers in the Lansdown Collection, and was probably addressed to the first Lord Burghley, though the address has disappeared along with the fly-leaf, and the docket does not supply it. If so, it must have been written before the autumn of 1598, but it seems impossible to determine on what occasion. I do not remember to have met with any report of a projected masque by the four Inns of Court united. But I find that on the 15th of October, 1596, Bacon wrote to the Earl of Shrewsbury from Gray's Inn, "to borrow a horse and armour for some public shew;"[1] and this may possibly have reference to the same. Occasions of the kind occurred frequently, and though small things sometimes help to illustrate things of importance, it is not very likely that anything would be gained by ascertaining the particulars of the "demonstration of affection" here proposed.

It may please your good Lordship,[2]

I am sorry the joint masque from the four Inns of Court faileth; wherein I conceive there is no other ground of that event but impossibility. Nevertheless, because it falleth out that at this time Gray's Inn is well furnished of gallant young gentlemen, your Lordship may be pleased to know, that rather than this occasion shall pass without some demonstration of affection from the Inns of Court, there are a dozen gentlemen of Gray's Inn, that out of the honour which they bear to your Lordship and my Lord Chamberlain, to whom at their last masque they were so much bounden, will be ready to furnish a masque; wishing it were in their powers to perform it according to their minds. And so for the present I humbly take my leave, resting

Your Lordship's very humbly and much bounden,

Fr. Bacon.

The fourth of these undatable letters comes likewise from the Lansdown MSS. Not however from the original; but from a collection of letters, chiefly Bacon's, fairly copied in a hand of the time,

[1] Note of unpublished papers in the Talbot Collection; at the end of Lodge's Illustrations, 2nd edition, 1838, p. 79.

[2] Lansd. MSS. 107, p. 13. Original: own hand. Fly-leaf gone. Docketed merely, "Mr Fra. Bacon."

and I think in a hand which he himself at one time employed; and agreeing for the most part with the principal collection in the 'Resuscitatio:' probably therefore copied from Bacon's own register of letters. The "Lord President of York," to whom it is addressed, was I presume the second Lord Burghley, who was appointed President of the Council of the North in 1599. There was an Edward Jones, at one time secretary to the Lord Keeper Puckering, after his death secretary to the Earl of Essex, who was an acquaintance and correspondent of both the Bacons; "a great translator of books; and preferred by Mr. Waad for a special man of language."[1] He may very well have been the person in whose behalf Bacon writes. The vacant office was no doubt that of "Secretary and Keeper of the Signet to the Council of the North," which was granted to John Herbert, second Secretary of Estate, by Queen Elizabeth;[2] at what precise date I do not know, and (owing to the changes now in progress at the State Paper Office) have not at present the means of inquiring. But the particulars which I have mentioned will probably satisfy as much curiosity as the letter will raise. The rest it will tell for itself.

A Letter from Mr. Francis Bacon to the Lord President of York in favour of Mr. Johns for the Secretary's place at York.[3]

It may please your good Lordship,

I have been moved to recommend a person and suit to your Lordship which I assure myself if it may take place with you I shall not leese credit with you by; for both I know perfectly the honesty and sufficiency of the man, and that which is the next point, I am so well acquainted with his dutiful affection to your Lordship, as I dare undertake no servant of yours shall be more observantly and faithfully at your commandment. It is conceived in Court that Mr. Secretary Herbert shall have conferred upon him the place of Secretary there, whose goodwill, by that which we do already find, Mr. Edward Jones hath reason to hope well of for a deputation. There rest two points: the one, Her Majesty's good allowance; the other, yours. The former whereof I hope he shall have good means to procure, and the second is that which I am to sue to your Lordship for: wherein to move

[1] Birch's 'Memoirs of Queen Elizabeth,' i. 87, 90, 91, 118; ii. 107.
[2] See Calendar of State Papers: Domestic: James I., p. 63. No. 76.
[3] Lansd. MSS. 238, fo. 127.

you, besides the fitness of the man, hardly to be matched in any other particular, I will undertake for his thankfulness in as good a manner as any other can be whatsoever; and all the poor credit myself have with you, which I have not been unmindful to cherish, I desire may appear in this suit rather than in any motion for myself. And so with my humble signification of duty I commend your Lordship to God's goodness.

At your Lordship's honourable commandment,

FR. BACON.

Of the three remaining letters for which a place must be found, I cannot offer any elucidation. They come from the old collection in the library of Queen's College, Oxford, which I have mentioned before as containing most of the letters printed by Rawley in his supplementary collection, and a few besides, which were first published I believe by Dr. Birch, and stated by him (on the authority I suppose of the person from whom he received the copies) to be from the original draughts; which is certainly a mistake. They are probably genuine; but the occasions to which they refer are not such as would be likely, except by mere chance, to leave any trace in history. I therefore print them simply as I find them, and so conclude this chapter. In the next I shall have to give an account of Elizabeth's last Parliament, and of her last and not least successful public appearance in the great part which she had sustained so long.

TO THE LORD TREASURER.

It may please your honourable Lordship,

I account myself much bound to your Lordship for your favour showed to Mr. Higgins upon my commendations about Parett's[1] wardship; the effect of which your Lordship's favour, though it hath been intercepted by my Lord Deputy's suit, yet the signification remains; and I must in all reason consent and acknowledge that your Lordship had as just and good reason to satisfy my Lord Deputy's request as I did think it unlikely that my Lord would have been suitor for so mean a matter.

So this being to none other end but to give your Lordship

[1] So I read the name in the MS. Birch printed it "Pawlet." The name of "Parett," in connexion with "my Lord Deputy," suggests Sir John Perrot; who was Lord Deputy of Ireland from 1584 to 1587; and it is quite possible that this letter may belong to as early a date.

humble thanks for your intended favour, I commend your Lordship to the preservation of the Divine Majesty. From Gray's Inn.

To Sir Francis Vere.

Sir,

I am to recommend to your favour one Mr. John Ashe, as to serve under you as agent of your company: whose desire how much I do affect, you may perceive if it be but in this, that myself being no further interessed in you by acquaintance or deserving yet have intruded myself into this commendation. Which if it shall take place, I shall by so much the more find cause to take it kindly as I find less cause in myself to take upon me the part of a mover or commender towards you; whom nevertheless I will not so far estrange myself from, but that in a general or mutual respect, incident to persons of our qualities and service, and not without particular inducement of friendship, I might without breaking decorum offer to you a request of this nature; the rather honouring you so much for your virtues, I would gladly take occasion to be beholding to you; yet no more gladly than to have occasion to do you any good office. And so this being to no other end, I commend you to God's goodness.

From my chamber at the

To Mr. Cawfeilde.

Sir,

I made full account to have seen you here this reading, but your neither coming nor sending the interr. as you undertook, I may [ ][1] of a wonder. And you know *super mirari cœperunt philosophari.* The redemption of both these consisteth in the vouchsafing of your coming up now as soon as you conveniently can; for now is the time of conference and counsel.

Besides, if the course of the Court be held *super interrogat. judicis,* then must the interr. be ready ere the commission be sealed; and if the commission proceed not forthwith, then will

[1] The word in the MS. looks like *parcell*, with the first syllable contracted. I cannot think of any word like it that would suit.

it be caught hold of for further delay. I will not by way of admittance desire you to send with all speed the interr. because I presume much of your coming, which I hold necessary; and accordingly *pro jure amicitiæ* I desire you earnestly to have regard both of the matter itself and my so conceiving. And so etc.

Your friend particularly.

INDEX TO VOLUME II.

A.

ALIENATION.

Alienation Office, Account of the, wrongly ascribed to Bacon, 120, 121.
"Aluvarez' Matter in Chancery," 32. 33.
Anderson, Sir Edmund, Lord Chief Justice of the Common Pleas, one of the Commissioners to hear the charges against Essex at York House, 173 *note.*
An assistant to the peers in Essex's trial, 283.
Anger, Francis, of Gray's Inn, proposed by Bacon as a surety for a loan, 206.

BACON.

Anstis, John, Garter King at Arms, letter of Bacon in possession of, 165.
Army. *See* War.
Ashe, Mr. John, Bacon's letter in favour of, 373.
Ashton, Abdy, Puritan preacher, Essex's confession imputed to the influence of, 234. 235. 236 *note.*
Essex's request for his attendance on him in the Tower, 273.
With Essex in his last moments, 284, 285.

B.

Bacon, Lady Ann, (Francis Bacon's mother,) 164.
Bacon, Anthony, his letter to Essex on an expected vacancy in the Rolls, 31.
His brother's endeavours to bring his services under the Queen's notice, 31. 32. 36.
His feeling towards Burghley, 53 *note.*
Probably destroyed or gave up his papers on Essex's falling under suspicion, 164.
Letters between him and Essex drawn up by Francis to be shown to the Queen, 197—201.
Allusion to the same by Essex on his trial, 226, 227.
Letter relative to Essex's confession addressed to him after his (A. B.'s) death, 234.
Accounted an agent between Essex and the King of Scots, 343.
Letter to him from his brother Francis, 368. *See* 332.
Bacon, Francis, his reluctance to devote himself to the ordinary practice of the bar, 1.

Bacon, Francis—*continued.*
His probable occupations in the winter of 1595, *ibid.*
Formularies and Elegancies, Maxims of the Law, Essays, Colours of Good and Evil, Meditationes sacræ, *ibid.*
Reasons for suspecting his hand in the letters of advice from Essex to the Earl of Rutland, 2—6.
The first letter, 6—15. The second, 16—18. The third, 19, 20.
Similar question with regard to a letter of advice from Essex to Foulke Greville, 21.
Copy of said letter, 22—26.
Projected sale of land and application to Maynard and Hickes for a loan, 27, 28.
His opinion of the expedition against Cadiz, 29.
His letter to Essex on Egerton's being made Lord Keeper, 30.
His prospect of succeeding him in the Rolls, 31.
Endeavours to bring his brother's services under the Queen's notice, 32.

Bacon, Francis—*continued.*
Transmits Essex's letter recommending him for Master of the Rolls to his brother, 33—36.
His letter of thanks to Essex, 36.
His letter to his brother reporting the Queen's reception of his foreign intelligence, 36, 37.
His letter to a young friend abroad, probably one of Sir T. Cecil's sons, 38.
His account of the capture of Cadiz, 38, 39.
His letter of advice to Essex on his bearing towards the Queen, 40—45.
Receives "gracious usage" from the Queen, 45.
Presents her with a sample of a work on the Maxims of the Law, 45, 46.
Publishes his Essays, Colours of Good and Evil, and Meditationes Sacræ, 46.
His letter to Mr. Hesket on behalf of James Ousie, a servant of his brother's, *ibid.*
His hopes of promotion, through some change of places among the law officers, 49.
His letters to Burghley, Stanhope, and Essex on the occasion, 49—53.
His project of marriage with the widow of Sir William Hatton, 53, 54.
His letter to Essex desiring his mediation, 55, 56.
His views and advice with regard to the new military enterprise projected by Essex, *ibid.*
His memorial to the Lord Keeper concerning alleged exactions by Mr. Mill, Clerk of the Star Chamber, 56—60.
His interest in the pending inquiry, and proposed disposal of the reversion of the office, 60.
His letters to the Lord Keeper on the subject, 60—67.
His letter to the Queen, 67.
In the Parliament of 1597 brings in bills for the prevention of Enclosures and the maintenance of Tillage, 79—83.
His speech in support of the Subsidy Bill—the first of his speeches reported by himself, 83—89.
Commencement of estrangement between him and Essex, 93.
Advises Essex to take upon him the care of Irish affairs in Cecil's absence, 94.

Bacon, Francis—*continued.*
His letter to him on the subject, 94—96.
Variations in the different copies of his letters accounted for, *ibid.*
His letter of advice to Essex upon the treaty with Tyrone, 98—100.
His letters to Sir Robert Cecil, negotiating in France, 101, 102.
His letter of congratulation to Essex upon his reconciliation with the Queen after their great quarrel, 104.
His arrest for debt while engaged in business of the Learned Counsel, 106.
His letters of complaint to Sir R. Cecil and the Lord Keeper, 106—108.
Joined with Peyton and Waad in examination of Stanley, 108.
His account of the conspiracy of Edward Squire, 110—119.
Not the author of the 'Historical Account of the Alienation Office,' 120, 121.
His advice asked by Essex upon the question of taking the command in Ireland, 126.
His endeavours to dissuade him from taking it, 127.
His uneasiness with regard to Essex's objects, 128.
His letter of advice and warning to him immediately before his going, 128—133.
His suggestion to the Queen to recall him, 140.
His letter to, and interview with, Essex, on his sudden return, 149, 150.
His unsuccessful endeavour to dissuade the Queen from bringing Essex's case in question publicly, 158.
Popular misapprehension as to his conduct, and consequent indignation, 159.
His absence from the Star Chamber, and letters on the occasion to the Queen, Lord Henry Howard, and Sir R. Cecil, 159—162.
His letters of compliment to the Queen on sending New Years' gifts, 163, 164.
His letter to the Queen asking for a gift of land, 165, 166.
His advice to her upon the case of Essex, 172.
His narrative of the opening of the judicial proceeding against Essex at York House, 174—188.

Bacon, Francis—*continued.*
His part in that proceeding, 190.
His letter to Essex in offer of his service, and subsequent endeavours to reconcile him with the Queen, 190—193.
His drafts of letters to be written by Essex to the Queen, 193—196.
His draft of a correspondence between his brother and Essex for the purpose of showing the Queen what mind Essex was in, 197—201.
His ignorance of the real state of Essex's mind at this time, 203.
His account of the failure of his endeavours to reconcile the two, and of the termination of his influence with both, 203, 204.
His appointment as Double Reader at Gray's Inn, 204.
His endeavours to clear himself of debt, and letters to Mr. Hickes for help, 204—206.
His summons from the Council to assist in examining parties implicated in Essex's insurrection, 213.
His duty with reference to the arraignment, 214.
His first speech in support of the charge, with Essex's retort and his reply, 225—227.
His second speech, reminding the Court how the case stood, 229, 230.
His charge against Sir John Davis, 237, 238.
His share in drawing up the official "Declaration of the Practices and Treasons," etc., 240, 241.
Mr. Jardine's charge against him of "garbling the depositions," examined, 242, 243.
The "Declaration of Practices," etc., 245—321.
The one considerable error in the narrative, 366, 367.
Conclusion of the history of Bacon's relations with Essex, 367.
His letter to his brother Anthony, 368.
His letter to Sir Thomas Lucy on his daughter's marriage, 369.
His letter to Lord Burghley on the part of Gray's Inn offering a masque, 370.
His letter to the second Lord Burghley in favour of Mr. Johns, 371, 372.
His letters to the Lord Treasurer, 372, 373.
To Sir Francis Vere, 373.
To Mr. Cawfeilde, 373, 374.
Bagnall, Sir Henry, killed by the Irish rebels, 122.
Bancroft, Richard, Bishop of London, collects forces to oppose Essex, 272.
Barkley, Sir Richard, appointed keeper of Essex in his own house, 259.
Removed from his charge, 260.
Barlow, Dr., in attendance on Essex in his last moments, 285.
Beggars, bill for extirpation of, 78.
Berkeley. *See* Barkley.
Bindon, Viscount, one of the Peers on Essex's trial, 283.
Bingham, Sir Richard, 95. 96 *note.* 100.
Sent to Ireland as Bagnall's successor: his death, 124.
Called "Sir Robert" in the Sydney Papers, 100. *See* Errata.
Birch, Dr. Thomas, 167. 372.
Blackbourn, first editor of Bacon's 'Opera Omnia,' 'History of the Alienation Office' first printed among Bacon's works by him, 120.
Letter of Bacon given by Anstis to him, 165.
Blount, or Blunt, Sir Christopher, marshal of the army sent into Ireland: refusal of the Queen to make him a councillor, 134, 135.
Dissuades Essex from returning to England with his army; his advice on the occasion, 147, 148. 256, 257. 258.
Same reconsidered and rejected, 169.
Post assigned to him in the intended attack on the Court, 217. 220. 235. 264.
Accused by Essex as his chief instigator, 236.
Brought to trial, 237. 275.
His end, 239.
Confesses without reserve, *ibid.*
Pardon of treasons granted to him by Essex, 251. 253.
Ordered by Essex to license Lee's visit to Tyrone, 252.
His suggestion to Sir F. Gorge to kill Ralegh, 267.
Wounded in a conflict with the Queen's forces, 272.
Effect of what passed at the arraignment of himself and his confederates, 286—290.
His confessions and examination, 303—306. 313—315. 355—358.
His speeches at the time of his death 316—319.
Important statement in the Hatfield copy of his examination, 366, 367. *See* 144. 147 *note.* 151. 163. 227. 233. 261. 262. 265. 276, 277. 314 *note*, 347. 351.

Bodley, Mr., 342.
Bohemia, Queen of, 2.
Bowes, Sir Jerome, associated with Bacon in inquiry into Essex's conspiracy, 213 *note*.
Bremingham, Richard, on Tyrone's expectations from Essex, 255.
Bromley, Sir Henry, implicated by Cuffe in Essex's plot, 332. 351. 352.
Bruce, John, F S.A., references to Hatfield MSS. printed by, 167 *note* 3. 352 *note*. 355 *note*, 358 *note*, 366.
Buckhurst, Lord, afterwards Lord High Treasurer, 33.
Essex's letter to him recommending Bacon for the Rolls, 34, 35.
One of the Commissioners in Mill's case, 66.
One of the Commissioners to hear the charges against Essex at York House, 173 *note*.
Lord Steward on Essex's trial, 222. 224. 232. 275.
See 208. 233. 266.
Buckingham, Sir George Villiers, Marquis and Duke of, 2. 3.
Buckingham—*continued*.
Why the second letter on Travel could not have been addressed to him by Bacon, 18.
Burgh, Lord, Lord Deputy in Ireland, dies on his march against the rebels, 93.
Burghley, William Cecil Lord, Lord Treasurer: supposed to have disapproved the Cadiz expedition, 29.
Confined to his chamber by illness, 49. 50 *note*.
Favours Bacon's pretensions for "a good place," *ibid.*
Obligations to him acknowledged by Bacon, 51—53.
His death, 123.
Letter of Bacon's probably addressed to him, 370.
Burghley, William Cecil, second Lord, Lord President of the North, directed to proclaim Essex a traitor, 271.
One of the Peers on Essex's trial, 283.
Letter of Bacon's addressed to him, 371. *See* 272. 353.

C.

'Cabala,' the, 94. 95 *note* 5.
Cadiz (or Cales), expedition against, 28, 29. Its result, 39.
Rumoured intentions of Spain in retaliation, 47.
Camden, William, on Essex's great quarrel with the Queen, 103 *note*.
On Walpole's conspiracy, 119.
On Essex's reinstatement in favour, 123.
On Sir R. Bingham's character, 124.
On Essex's depreciation of Montjoy, 125 *note* 2.
On suspicions suggested by Essex's proceedings with regard to his Irish appointment, 127, 128.
Anecdote told by him of the zeal of one of Essex's followers, 152.
On the popular impression with regard to Essex's crime, 231. *See* 140.
Canterbury, Archbishop of. *See* Whitgift.
Carew, Sir George, recommended for office by Essex, and why, 103. 103 *note*.
Post in Ireland procured for him by Cecil, and insinuation of Essex concerning same, 354.
Carleton, Bishop, account of Squire's conspiracy printed in the 'Thankful Remembrance' of, 109.
Carleton, Dudley, 110. 124. 232.
Catalogue of Bacon's letters by Stephens and Tenison, 2, 3.
Cawfeilde, Letter from Bacon to, 373.
Cecil, Richard and Edward, sons of Sir Thomas, licensed to travel, 37, 38.
Letter from Bacon to one of them, 38.
Cecil, Sir Robert (Mr. Secretary), 'long speech' had by Bacon with, 37.
Mistake relative to a letter docketed as from Bacon to him, 37, 38.
Essex still at enmity with him, 48.
Essex reconciled to him, 54.
One of the Commissioners in Mill's case, 66.
Subsidy Bill of 1597–8 seconded by him, 83.
Made Chancellor of the Duchy of Lancaster, 89.
Sent as ambassador into France, 92.
Alleged mover of the Queen's bounty to Essex, 93.
Letters to him from Bacon, 101. 102.
His embassy unsuccessful, 102.
Witness of Essex's great quarrel with the Queen, 103.
Character of his abilities as a councillor, 123.
Bacon's justificatory letter to him, 162.

Cecil, Sir Robert—*continued.*
One of the Commissioners before whom the case of Essex was heard at York House, 173 *note.*
His displacement part of Essex's plot, 221.
Charge insinuated against him by Essex, 224. 277. and his answer to same, 224. 277. 279—281.
His account of Essex's confessions after the trial, 233. 235.
His forgiveness asked by Essex, 284.
Explanation of his letter suggesting an omission from Blount's confession, 314.
Abstract of Essex's confession docketed by him, 319. *See* 147. 154, 156 *note*, 208. 309. 342. 353.
Cecil, Sir Thomas, 37. 38.
Bacon's project of marriage with his daughter, and its result, 53, 54. 56. *See* also 100.
Cecil, William, Lord Burghley. *See* Burghley.
Chamberlain, John, Dudley Carleton's correspondent, 110.
Extracts from his letters relative to nomination of Essex as Lord Deputy of Ireland, 124, 125.
His account of the trial of Essex and Southampton, and their deportment after sentence, 232.
Miss Williams's edition of his letters, *ibid. note. See* Errata.
Chandos, Lord, 283, 309. 311.
Cicero's eloquence less proper for a statesman than that of Demosthenes, 25.
Cinque Ports, appointment to wardenship of, 48.
Clarendon, Edward, Earl of, on the character of the "Declaration of Treasons," 242.
Clerke, Baron of Exchequer, an assistant to the Peers on Essex's trial, 283.
Clifford, Sir Conicrs, 95.
Repulsed and slain by the Irish rebels, 139. *See* 253. 327. 329.
Clifton, Sir Jervis, 19.
Cobham, Lord, Wardenship of the Cinque Ports vacated by the death of, 48.
Cobham, Lord (son of the above), successful competitor with Essex for the vacant Wardenship, 48.
His displacement a part of the Essex plot, 208. 221.
Essex's pretended fear of being murdered by him, 209. 267. 309.
Cobham—*continued.*
Accused by Essex of foreign practices, and demands explanation, 221. 222.
Charges retracted by Essex, 236.
One of the Peers on Essex's trial, 283. *See* 273. 353.
Coke, Sir Edward, Attorney-General, 28.
Seeks the Mastership of the Rolls, 49. 63.
Marries Lady Hatton, 56.
Sets forth the charges against Essex before the Commissioners at York House, 173. 174.
Conducts the arraignment of Essex and Southampton, 214.
His opening speech, 216, 217.
Objects to Essex being allowed to interrupt the evidence, *ib.*
Charges Essex with "hypocrisy in religion," 227.
His management of the trial, 230, 231. And *see* 217, 218, 219. 222. 229.
Employed on the trial of Essex's confederates, 237.
New disclosures concerning Essex's treason known to the public chiefly through his speeches, 240.
Delivers the papers to Bacon, *ibid.*
His rough minute of Blount's confession, 313 *note.*
See 292 *note*, 319 *note*, 327 *note.*
Commission nominated to investigate charges against Essex at the Lord Keeper's house, 173 *note.*
Commons, House of (Parliament of 1597—8), how met by Elizabeth, 77.
Chief measures submitted to the House, 78.
Spirit in which the required Supplies were granted, 78, 79.
Poor relief enactments, 79.
Proceedings relative to Enclosures and Depopulation. *See* Enclosures.
Triple Subsidy Bill passed without opposition, 83.
Bacon's speech in support of it, 85—89.
Compton, Lord, 272. 317. 319.
One of the Peers on Essex's trial, 283.
Cooke, Sir William, married to Joyce Lucy, letter of Bacon concerning, 309.
Court, plan of the Essex conspirators for attacking and taking possession of the, 217. 220. 235. 263, 264.
Cromwell, Edward Lord, implicated in Essex's conspiracy, 277.
His examination, 312.

Cuffe, Henry, reference to Sir Charles Davers by, 167 *note* 2.
Employed by Essex in his disloyal designs, 207.
Accused by Essex as one of his chief instigators, 236.
Brought to trial, 237.
Point in which his case differed from those of his fellow-prisoners, 239.
His end, *ibid.*
"A base fellow, but a great scholar," 260.
His endeavour to engage Sir Henry Nevill in the conspiracy, 260, 261.
Vehemently charged by Essex as his instigator, 284, 285. 319 *note*
Effect of what passed at the arraignments of himself and his confederates 286, 288. 289.
Cuffe, Henry—*continued.*
Essex's adjuration to him, 320.
His answer to the Articles sent to him from the Privy Council, 330—333.
His subsequent examinations, 342, 343. 351, 352.
His letter to Cecil with the instructions for the Earl of Marre, 352—355.
See 265. 338. 338 *note.* 339 *note.* 340. 340 *note.* 341. 344. 345. 346. 347. 348. 349. 362.
Cumberland, Earl of, one of the Commissioners before whom the case of Essex was heard at York House, 173 *note.*
Proclaims Essex a traitor, 271.
See 272. 283.

D.

Darcy de Chichey, Lord, one of the Peers on Essex's trial, 283.
Davers or Danvers, Sir Charles, 163.
Declaration of his found in the Advocates' Library, Edinburgh, 167.
Cuffe's reference to him, *ib.*, *note* 2.
Revised copy of his declaration in his own hand, at Hatfield, *ib.*, *note* 3.
Extracts from his declaration, 168. 169. 170. 171 *notes.*
Sent to Ireland by Essex to arrange for Montjoy's help, 206. 207.
Lodged at Drury House, 207. 262.
Post assigned to him in the plot to surprise the Court, 217. 220. 235. 264.
Brought to trial, 237. 275.
His end, 239.
Made his confession without reserve, *ibid.*
Cause of his devotion to Southampton, 262.
Effect of what passed at the arraignments of himself and his confederates, 286—290.
His confession and declaration, 300—303. 333—342.
See 227. 233. 276. 319 *note*, 331, 332, 346. 347. 349. 351. 359. 360. 365.
Davies or Davis, Sir John, post assigned to in the plot to surprise the Court, 217. 235. 264.
Himself the framer of the plot, 220.
Brought to trial, 237, 275.
Principal offences charged upon him, 238.
Davies—*continued.*
Confesses himself guilty of all, 238, 239.
His office in the Tower, 263.
Set in charge over the Lord Keeper and his colleagues at Essex House, 270.
Effect of what passed at the arraignments of himself and his confederates, 286—290.
His confession, 298—300.
See 227. 233. 261. 272. 276. 277. 348. 357. 365.
Declaration of the practices and treasons attempted and committed by Robert late Earl of Essex and his complices, 256—274. *See* Essex; Blount; Davers; Davis; Gorge; Southampton.
De la Ware, Lord, one of the Peers on Essex's trial, 283.
Demosthenes, eloquence of more proper for a statesman than Cicero's, 25.
Saying of, 130.
Depopulation. *See* Enclosures.
Derby, Earl of, one of the Commissioners before whom the charges against Essex were heard at York House, 173 *note.*
One of the Peers on Essex's trial for treason, 283.
Desmond, the traitorous titulary Earl of, 255. 293.
Disloyalty, ingratitude, and insolency three of the unluckiest vices, 130.
Dixon, Hepworth, 148 *note.*
Don, Dr., Dean of Norwich, sent to Essex in the Tower, 273 *note.*
Drury House, the meeting place of the Essex conspirators, 207. 227. 238. 262. 265.

E.

Ecclesiastical Courts, Queen's message concerning abuses in, 78.
Edward II., an example of the consequence of the subject giving law to the sovereign, 282.
Edward III., war taxes of, 84 *note.*
Effingham, Earl of, 273.
Egerton, Sir Thomas, Master of the Rolls, promoted to the Lord Keepership, 30.
His kindness to Bacon, 30, 31.
Essex's letter to him on Bacon's behalf, 34.
Restrains certain fees exacted by Mr. Mill, clerk of the Star Chamber, 56.
Considerations submitted to him by Bacon on Mill's behalf, 57—60.
Letters to him from Bacon relative to a proposed surrender of his reversion of the office in favour of John Egerton, 60—67.
His speech on opening the Parliament of 1592, 77, 78.
Bacon's letter to him on being arrested for debt, 107.
His letter of remonstrance to Essex, 124.
Essex, on his return from Ireland, committed to his custody, 153.
Charges against Essex heard before a special commission in his house and under his presidency, 173.
Sent (with other lords of Council), by the Queen to demand the cause of the assemblies at Essex House, 209. 269.
Himself and colleagues forcibly detained by Essex, 210. 270.
Their release, 211.
Widdrington's report of Essex's orders with regard to him, 219.
Essex's pretext for the detention, *ibid.*
Pardon asked of him by Essex, 235. 284.
Intention of the conspirators in detaining him, 238.
Declaration of himself and colleagues as to their treatment at Essex House, 306—308.
See 124. 220. 230. 233. 238. 259. 260. 279. 311. 361.
Elizabeth, Queen of England, thanks Anthony Bacon for his foreign intelligence, 36, 37.
Uses Francis graciously, 37, 45.
Her feeling towards Essex after the Cadiz expedition, 39—41.
Offers him the joint command, with two colleagues, of a new expedition, 47.
Insists upon appointing Lord Cobham Warden of the Cinque Ports, 48.
Makes Essex Master of the Ordnance, *ibid.*
Refers Mill's case to Commissioners, 66.
Bacon's letter to her on the occasion, 67.
Said to be not well pleased with Essex's conduct in the second expedition, 75.
Her judgment in avoiding collisions with the House of Commons, 77.
Her dignified proceeding with the 1597 Parliament, 77, 78.
Her message to the House with regard to abuses in Ecclesiastical Courts, 78.
Is dissatisfied with Essex's management of the Island Voyage, 89.
Creates the Lord Admiral Earl of Nottingham, *ibid.*
Employs Ralegh to reconcile him and Essex on the occasion, 91.
Makes Essex Earl Marshal, *ibid.*
Presents him with £7,000 worth of cochineal, 93.
Her great quarrel with him, and permanent change in their relations, 103, 104.
Attempt by Edward Squire to poison her, 109. 116.
Admits Essex to her presence again, 123.
Makes him Lord Deputy of Ireland and General of the Army, instead of Montjoy who had been first named, 125 *note.*
Is treated with contumacy by him and thought to grant his demands the rather from the danger of refusing them, 128.
Is thought not to be well pleased with him at his setting out, 133.
Objects to his making Southampton General of the Horse and Blount a Councillor, 134.
Begins to suspect an underhand design; forbids him to leave his post without license; puts the country under arms; and demands explanations, 140, 141.
Her letters to him on receiving the news of his truce with Tyrone, 145.
Her reception of him on his sudden return, 148, 149.

Elizabeth—*continued.*
Her judicious proceeding with him afterwards, 152, 153. 176, 177. 259.
Her reasons for being dissatisfied with his explanations, 156, 157.
Directs an official declaration to be made in the Star Chamber of the principal faults laid to his charge, 158. 177.
Is offended with Bacon for expostulating, *ibid.*
Bacon's letter to her on his absence from the Star Chamber, 160.
His letters on sending New Year's gifts to her, 163, 164.
His suit to her for a gift of land, 165, 166.
Her ignorance of Essex's intrigues with Montjoy and the King of Scots: her feelings and wishes with regard to him, 172.
Resolves to have his case (not including any charge of disloyalty) judicially heard before a special tribunal, 173. 177—179. 259.
Commands Bacon to draw up a narrative of the proceeding, 174.
Refrains by his advice from publishing it, 175.
Declines to restore Essex to his former favour, but releases him first from his keeper and then from all restraint, 188, 189. 202. 260.
Shows symptoms of relenting, 192, 193.
Assigns the expired lease of his monopoly-patent to commissioners for her own use, 203.
Grows more incensed towards him, and alienated from Bacon, 204.
Sends Secretary Herbert to summon Essex before the Council, 266.
Sends the Lord Keeper, etc., to learn the cause of the tumult in Essex House, with promise to hear complaints, 209. 268. 306.
Her directions during the insurrection, 271.
Her choice of Peers for the arraignment, 275.
Grants Bacon an interview, 213.
Commands him to draw up a narrative of Essex's treasons and the proceedings against him and his accomplices, to be put forth in her name, 240.
Directs alterations to be made in it, *ib.*
Elizabeth—*continued.*
Her discretion in withholding mention of the correspondence with the King of Scots and Montjoy, 325.
Enclosures, depopulation and maintenance of husbandry and tillage, Parliamentary proceedings concerning, 78—83.
England, position of, with relation to France, Spain, and the Netherlands, 92.
Epitomes, uselessness of, 22, 23.
Essex, Robert Devereux, Earl of:
His "letters of advice touching Travel," 4. 6—20.
Reasons for suspecting Bacon's hand in them, 4—6.
His "letter of advice to Sir Foulk Greville on his studies": resemblance of the style to Bacon's: 21—26.
Part taken by him in the expedition against Cadiz, 28, 29. 30.
His unfitness for the conduct of military enterprises on a great scale, 29.
Bacon's letter to him on the appointment of Egerton as Lord Keeper, 30, 31.
Solicited by Anthony Bacon to recommend Francis for the Rolls, 31.
His letters on that behalf, 34, 35.
His letter to Bacon, with Bacon's reply, 35, 36.
His part in the capture of Cadiz, 39.
His proposal to follow it up by the capture of the homeward-bound Indian fleet, over-ruled by his colleagues, 39. 68.
His position on his return, 39, 40.
Letter of advice to him from Bacon, on his bearing towards the Queen, 40—45.
Refuses a co-ordinate command in a second expedition, 47, 48.
Fails to obtain the wardenship of the Cinque Ports, but is made Master of the Ordnance, 48.
Assists Bacon in his suit for the hand of Lady Hatton, 53. 55, 56.
Appointed to the sole command of the new expedition against Spain, 54.
Change thereon in his bearing towards his rivals, *ibid.*
Bacon's apprehensions and warnings on the occasion, 54. 55, 56. 68.
Plan and conduct of the expedition according to his own report, 68—71.

Essex—*continued.*
Incidents omitted in his narration, and probable explanation of his proceeding, 72—74.
His intolerance of competition, 73.
Danger to which he had left England exposed, and fortunate escape of his own fleet on its return, 74, 75.
His dissatisfaction with his reception by the Queen, 75, 76.
His discontent at the elevation of the Lord-Admiral to an Earldom, 89—91.
Pacified by being made Earl-Marshal, 91.
His "one friend and one enemy," *ibid.*
Receives a valuable gift from the Queen, and resumes his activity as a councillor, 93.
Attends to Irish affairs by Bacon's advice, and consults him about them, 94—101.
Opposes Burghley on the question of peace with Spain, 102.
Quarrels with the Queen about the choice of an officer for Ireland, and retires in anger from the Court, 103.
Is partially reconciled: Bacon's letter to him on the occasion, 104.
Altered relation between him and the Queen, 104. 121.
Attempt by Edward Squire to poison him during the Island Voyage, 112. 115. 117.
The nomination of Montjoy as Lord Deputy in Ireland cancelled by his influence, and himself appointed, 123—126. 249.
Bacon's unsuccessful endeavour to dissuade him from accepting the appointment, 126, 127.
Extraordinary powers demanded by him, and conceded, 127, 128. 181—183. 250, 251.
Bacon's letter of advice and warning to him immediately before his going, 128—133.
Strange rumours at Court as to his objects and purposes, 133.
Discontented tone of his letters to the Council; further demands and continual complaints, 134—136.
His professed plan of action, 136. 181—184. 250.
His proceedings on his arrival at Dublin, 137. 188. 252.
His expedition into Munster, and its results, 137, 138. 252.

Essex—*continued.*
His march into Ophaly and Leix, 139. 185. 252.
Demand for further reinforcements, 139. 187.
Meeting with Tyrone, parley and truce, 141. 253, 254.
General result of the campaign, 141—143.
Apparent inconsistencies of his proceeding explained, 143—145.
Difficulty of his position when forbidden to leave his post and called on for explanations, 146, 147.
Proposes to make his explanations at the head of his army, 147, 148. 256, 257. 313—319. 355, 356. 366, 367.
Returns suddenly to England with a train of choice men, 148. 258.
His reception by the Queen, 148. 259.
His committal to his chamber, and interview with Bacon, 149—151.
Spirit of his followers, 152.
Is heard by the Council and committed to the custody of the Lord-Keeper, 153. 259.
His real object in coming over, 153, 154.
His reluctance to disclose Tyrone's propositions, and the effect of the disclosure when it came, 155, 156. 258.
Dissatisfaction of the Queen with his explanations, 156, 157.
Declaration made by the Councillors in the Star Chamber, 158, 159. 177.
His continued restraint and secret intrigues, 162, 163. 167.
Negotiation in his behalf by Montjoy with the King of Scots, 167—169. 330. 335. 358.
A private escape recommended by his friends and refused, 169, 170. 334. 335. 351. 361.
Renews his intrigues with Montjoy, and with the King of Scots, 170—172. 330, 331. 336—341. 342, 343. 353—355. 359, 360.
Is allowed to return to his own house, under a keeper, 171.
His case formally heard before a special commission at York House, 173. 178. 259, 260.
Bacon's narrative of the occasion and opening of the proceeding, 175—188.
Is released from custody, 189. 202. 260.

Essex—*continued.*
Endeavours to act on Bacon's advice, and uses him confidentially as a mediator with the Queen, 190—201.
His secret fears, and impatience of delay, 202, 203.
Failing to obtain a renewal of his monopoly-patent, despairs of recovering favour except by force, 203.
Change in the Queen's feelings towards him, 204.
Tries in vain to engage Montjoy and the Irish army in his purposed action: renews his intrigues with King of Scots, 206.
Makes preparations for surprising and mastering the Court, 207, 208. 260—266.
Alarmed by a message from the Council, suddenly changes his plan of action, 208, 209. 266, 267.
Refuses all explanation to the Lords of the Council, and seeks help in the City, 209, 210. 269, 270. 306—309.
Is surrounded and forced to surrender at discretion, with all his party, 211. 272, 273.
His plan of defence against the charge of treason, 215, 216.
His trial, 216—232. 275—283.
His justification of the insurrection as an act of self-defence, 219, 220.
His justification of the meditated action against his enemies in the Court as an act of patriotism, 221.

Essex—*continued.*
His alleged ground for proclaiming that his life was in danger, 222, 223. 278, 279.
His alleged ground for proclaiming that the realm was sold to the Infanta, 223, 224. 279, 280.
His attempt to draw Bacon into a personal altercation, 226, 227.
His reply to Coke's charge of hypocrisy in religion, 227, 228.
His sentence, 230—232.
His demeanour at the trial as described by Chamberlain, 232.
His confession of his own guilt, and information against his associates, 233—236. 284, 285.
His behaviour on the scaffold, 237. 285.
His character in the popular mythology: his "Ghost," 241.
Official declaration of the practices and treasons of himself and his complices, 245—321.
Additional evidences not published with the declaration, 325—365.
Importance of the question as to the *time* at which he proposed to return to England with his army, 366, 367.
See Blount; Cuffe; Davers; Davies; Gorge; Harrington; Lee, Thomas; Montjoy; Moryson; Nevill; Rutland; Sandys; Smith; Southampton.
Essex, Countess of, allowed to depart from Essex House, 273.
Essex House, 207. 209.
Invested by the military, 211.
Eustace, William, Thomas Lee's son-in-law, 326.

F.

Fenner, Justice, an assistant to the Peers on Essex's trial, 213.
Fitz Morrice, Lord, declaration of, relative to conditions of contract between Tyrone and Essex, 255. 292.
Fitzwilliams, Sir William, Lord-Deputy in Ireland, 92. 95.
Fleming, Solicitor-General, 49. 52 *note.*
Employed in prosecuting Essex's followers, 237.
Forbes, Dr., paper found in the collection of, 167.
Forestallers and Regraters, Bill introduced against, 78.
Fortescue, Sir John, his interest at Court sought by the Bacons, 31.

Fortescue—*continued.*
Paper forwarded to him by Bacon, 32.
Essex's letter to him urging Bacon's claim to the Rolls, 33, 35.
His report of the Queen's reception of Anthony Bacon's foreign intelligence, 36, 37.
One of the Commissioners appointed to consider the complaints against Mr. Mill, 66.
One of the Commissioners before whom the charges against Essex were heard at York House, 175 *note.*
France, "dangerous impositions" of, 84 *note.*

G.

Garrett, Captain, 33.
Gawdy, Justice, one of the Commissioners before whom the charges against Essex were heard at York House, 173 *note*.
An assistant to the Peers on Essex's Trial, 283.
Gerard, Sir Thomas, Knight Marshal, proclaims Essex a Traitor, 271. *See* 272.
Ghost, Essex's, 241.
Gorge, Sir Ferdinando, endeavours to negotiate for Essex with the Council, 211.
His Examination read in Court, and confirmed by him, *viva voce*, 220—222.
Ralegh's warning to him explained, 222, 223.
Gorge—*continued*.
His testimony confirmed by the others, 227.
Sent for from Plymouth by Essex, 262.
Rejects Blount's suggestion to kill Ralegh, 267.
His confessions, 295—298. *See* 233. 276.
Greville, Sir Foulke, letter of advice from Essex to, 21—26. *See* 273.
Grey of Wilton, Lord, assassination of, volunteered by Sir C. St. Lawrence, 152.
Passage of words between him and Southampton, 223. *See* 269. 272. 283. 316. 317. 319.
Guise, Duke of; his proceeding on the day of the barricades, 230. 282.

H.

Hargrave MSS., Report of a speech by Bacon from the, 84 *note*.
Harington, Sir John, on Essex's preference of Sir George Carew for the Irish Viceroyship, 103 *note*.
Essex to him on his appointment to Ireland, 126, *note* 3.
Letter of warning to him on his going with Essex, 133.
Testifies to the amplitude of the Queen's provisions for her army in Ireland, 136 *note*.
On the result of the Munster campaign, 138, *note* 2.
On Essex's state of mind towards the Queen, 203. 207.
Hatton, Sir Christopher, 42.
Hatton, Lady, widow of Sir William, daughter of Sir T. Cecil, 53.
Bacon a suitor for her hand, 53, 54.
Married to Coke, 56.
Hawkyns, Dr., employed by Essex at Venice, 32 *note*.
Hayward's Book patronized by Essex, 190.
Henry IV. of England, 282.
Henry IV. of France wishes to make peace with Spain, 92.
Henry VII.; policy of his statute for maintenance of husbandry, 79—82.
Herbert, John, 2nd Secretary of State, sent to require Essex's presence at the Council Board, 266. *See* 311. 346. 357. 371.
Herring, Thomas, Archbishop of Canterbury, 3.
Hertford, Earl of, one of the Peers on Essex's trial, 283.
Hesket, Thomas, Bacon's letter to him on behalf of James Ousie, 46.
Hethrington, David, declarations of, relative to Essex and Tyrone, 294. 325.
Hickes, Mr., one of Burghley's secretaries, 27.
Bacon's letter to him and Maynard for a loan, 28.
Further loan solicited from him by Bacon, 204—206.
Higgins, Mr., recommended by Bacon, 372.
Hobby, Sir Thomas, proposed by Bacon as surety for a loan, 206.
Hoby, Sir Edward, Subsidy Bill supported by, 83.
Howard of Effingham, Charles Baron, Lord High Admiral, created Earl of Nottingham, 89.
His position and claims to the honour, 90. *See* Nottingham.
Howard of Walden, Lord, one of the Peers on Essex's trial, 283.
Howard, Lord Henry, justificatory letter from Bacon to, 161.
Howard, Lord Thomas, Constable of the Tower, Essex's entreaty to, 233. *See* 272, 273 *note*.
Hunsdon, Lord, one of the Peers on Essex's trial, 283.
Huntingdon, Earl of, one of the Commissioners to hear the charges against Essex at York House, 173 *note*.
Husbandry and tillage. *See* Enclosures.

I.

Infanta of Spain, Essex's allegation that the crown was sold to the, 224. 272. 277. 279. 280, 281. 330. 353, 354.
Ireland, state of, grows daily *di mal in peggio*, 124.
Essex named Lord Lieutenant, 125, 126.
Ireland—*continued.*
His proceedings towards the rebels. *See* Essex, Robert, Earl of.
Limit of the power of former deputies to pardon treason, 251.
See also Bagnall; Bingham; Burgh; Blunt; Clifford; Lee; Thomas; Tyrone.

J.

James VI. of Scotland, negotiations of Essex's friends with, relative to succession to the English crown, 168, 169. 202. 206, 207.
See 208, 209. 222. 343. 362.
Jardine, Mr., his account of Essex's trial, how made up, 218.
Sentence supplied from his book, 229.
Charge made by him against Bacon, 242, 243, 244. 297 *note*. 304 *note*.
Jardine, Mr.—*continued.*
Error in the declaration of treasons noted by him, 275 *note*.
Explanation of mysterious letter cited by him, 314 *note*.
Jesuits, Essex's pretended fear of the, 363, 364.
Jones, Edward, "a great translator of books," letter of Bacon's probably in behalf of, 371.
Judges who assisted the Peers on Essex's trial, list of, 283.

K.

Killigrew, Mr., sent to desire Essex to come to the Queen, 48.
Kingsmill, Justice, an assistant to the Peers on Essex's trial, 283.
Knollys, Sir William, Comptroller; his appointment to Ireland, why objected to by Essex, 103. 103 *note*.
One of the Commissioners to hear the charges against Essex at York House, 173 *note*.
Knollys, Sir William—*continued.*
Called to disprove Essex's imputation against Secretary Cecil, 224. 280, 281.
See 126 *note* 3. 279. 311. 351.
Knowd, James, employed by Thomas Lee (Essex's emissary) to sound Tyrone, 253.
Message brought by him, 253. 254.
His confession, 255. 293, 294.
See 291. 327. 329.

L.

Lambarde, William, probably author of "The History of the Alienation Office" commonly ascribed to Bacon, 120, 121.
Laws, Lord Keeper Egerton's speech on need for revision of the, 77.
Motion for abridgment and reform of, submitted to the Commons, 78.
Seconded by Bacon, but dropped, 79.
Lea, or Lee, Henry. *See* Leigh.
Lee, Thomas, Essex's drift in granting a pardon to, 251.
Lee, Thomas—*continued.*
Employed by Essex on a mission to Tyrone, and same afterwards denied by Essex, 252, 253.
Purport of his confession as to the understanding between Essex and Tyrone, 256.
Blunt laid up with a wound at his Castle of Reban, 256. 316, 317.
Knew Essex, Tyrone, and Blount to be all one, 288. 327.
His confession, 291.
His examination, 326—329.
See 357.

Leicester, Earl of, 42. 197. 358.
Leigh, Harry, message carried into Scotland, and nature of answer brought back by, 170, 171. 336.
Imprisoned on his return, 171. *See* 330. 335, 336, 337. 343.
Letters of Bacon, a box full of, sent in 1682 to Tenison, 3.
Of advice to the Earl of Rutland, account of, 24.
Of advice to Foulke Greville on his studies, 21.
Of advice to Essex on his assumption of command in Irish affairs, 94—96. 98—100. 129—133.
Lincoln, Earl of, 272. one of the Peers on Essex's trial, 283.
Littleton, John, one of the Essex conspirators, 235. 263. 331. 343. 360.
Locker, John, catalogue of Bacon's letters in the collection of, 2.
London, attempt of Essex on the loyalty of the citizens of, 210. 264. 267, 268. 270, 271.
London, Bishop of. *See* Bancroft.
Lord Keepers. *See* Egerton; Puckering.
Lovelace, Richard, declaration of, relative to Essex's confederates, 365.
Lucy, Sir Thomas, letter from Bacon to, 369.
Lumley, Lord, one of the Peers on Essex's trial, 283.
Luson, Sir John, commands the forces against Essex, 272.

M.

Macdavy, Turlough, a messenger between Tyrone and Essex, 255. 293.
Mac Roory, Owny, chief of the O'Mores, communication from Tyrone to, relative to his dealings with Essex, 255. 293. 293 *note*. 294.
See 327. 329.
Marre, Earl of, Essex's instructions to, relative to alleged intrigues for settling the English Crown on the Infanta of Spain, 353, 354.
See 343. 362.
Martin, Sir Richard, Alderman, advice given to Essex by, 364.
Mary, Queen, weight of taxation in the reign of, 84 *note*.
Maynard, Mr., one of Burghley's secretaries, 27.
Bacon's letter to him and Hickes for a loan, 28.
Meautys, Sir Thomas, Bacon's executor, 3.
Merick, Sir Gilly, brought to trial, 237.
His end, 239.
Left in charge of Essex House, 270.
Releases the imprisoned Councillors, 272.
Effect of what passed at the arraignment of himself and confederates, 286.
Purport of the evidence given against him, 289, 290.
See 328. 343. 351.
Mill, Mr., Clerk of the Star Chamber, charged with exacting unlawful fees, 56. 65.
Bacon's Memorial to Lord Keeper Egerton on his behalf, 57—60.
Mill, Mr.—*continued*.
His case referred to certain councillors and judges, with the result, 66.
Monteagle. *See* Parker.
Montjoy, Charles Blunt Lord, spoken of for the Lord Lieutenancy of Ireland, 124.
His fitness, 125.
Objected to by Essex, 125, 126 *notes*. 144.
His motive for negotiating with the King of Scots, 168.
Essex commits his fortunes to his and Southampton's care, 169.
Appointed to command in Ireland, 170.
Treasonable enterprise contemplated and ultimately abandoned by him, 170—172.
Applied to by Essex for a letter of remonstrance, 202.
Bacon's "Apology" addressed to him, 203.
Disapproves of Essex's project, 206.
Danger to which Essex's confession exposed him, 235.
Lord Nottingham's letter to him on Essex's confession, 236 *note*.
See Danvers's Confession, 333—341. *See* also 167. 292 *note*, 325. 330. 343. 358. 359. 360.
More, sheriff, his civilities to Bacon, 107.
Morley, Lord, one of the peers on Essex's trial, 283.
Moryson, Fynes, citations from the "Itinerary" of:
As to terms offered to Tyrone, and on Tyrone's conduct, 96, 97. 100. 122.

Moryson, Fynes—*continued.*
On the Vriaghts, 99, *note.*
On Lord Montjoy's designation for the Lord Lieutenancy of Ireland, and Essex's depreciation of him, 125, *note* 1, 126, *note* 2.
On the suspicions incident to Essex's military courses and popularity, 128 *note.*
Moryson, Fynes—*continued.*
On Essex's return from Munster, 138, *note* 3.
Report of proceeding against Essex at York House, printed in his 'Itinerary,' 188.
Mountford, Dr., with Essex in his last moments, 285.
Mountgarret, Lord, 327.

N.

Nevill, Sir Henry, attempted to be gained over by Essex, 207. 260, 261. 351.
Implicated by Essex in his confession, 236, 285.
Impressions of Cuffe as to what passed between him and Essex, 333.
Post designated for him by Essex had the plot succeeded, 342.
His declaration as to his knowledge of Essex's designs, 343—350.
Same referred to in "Declaration of Treasons," 262. 265. 288.
Its truth testified to by Cuffe, 352.
Southampton's report of his interview with him, 362.
New Year's Gifts to the Queen, 163.
Norreys, Sir John, Lord General in Ireland, displacement and death of, 93.
Norton the bookseller letter carrier between Essex and the King of Scots, 343.
Nottingham, Charles Howard Earl of, Lord Admiral, witness of Essex's insult to the Queen, 103.
One of the Commissioners to hear the charges against Essex at York House, 173 *note.*
Commands the forces in the investment of Essex House, 272, 273.
One of the Peers on Essex's trial, 283.
See 149. 233.

O.

Occurren, James, information relative to Essex and Tyrone given to David Hetherington by, 294.
O'Neale, Shane, refusal of Tyrone to deliver up the sons of, 97.
O'Neale, 293 *note.*
Ousie, James, Bacon's Letter in behalf of, 46.
Ormond, Earl of, Commander-in-Chief in Ireland, 93, 95.
See 292 *note.* 327 *note.*
Ovingdon, Piers, on what was expected from Essex in Ireland, 295 *note.*
Oxford, Earl of, one of the peers on Essex's trial, 283.

P.

Parker, Sir Henry, commonly called Lord Monteagle, 268. 311. 365.
Parliament of 1597–8, attitude of the Queen towards the, 77. *See* Commons, House of.
Paul's full of factious discourses, 177.
Peers by whom Essex and Southampton were tried, list of, 283.
Periam, Sir W., Lord Chief Baron, one of the Commissioners to hear the charges against Essex at York House, 173 *note.*
An assistant to the Peers on Essex's trial, 283.
Perrot, Sir John, Lord Deputy of Ireland, 372 *note.*
Peyton joined with Waad and Bacon in examination of Stanley, 108.
Philip II. of Spain disposed to make peace with Henry IV. of France, 92.
Pisistratus's device for exciting the citizens of Athens, 225, 226.
Pithou, Pierre, the "French Bibliothèque Historian," 32. *note* 4.
Poor, Act for the relief of the, 79.
Popham (Chief Justice), one of the Commissioners in Mill's case, 66.

Popham—*continued.*
Also a Commissioner on the charges against Essex at York House, 173 *note.*
Sent by the Queen to enquire the cause of the assembly at Essex House, 209, 306.
Widdrington's report of Essex's orders with regard to him, 219.
His evidence at the trial of Essex, *ibid.*
Intention of the conspirators in detaining him, 238.
His replies to Essex and Southampton on their assertion of their grievances, 269.
Popham—*continued.*
Owen Salisbury's spleen against him, 270.
An assistant to the Peers on Essex's trial, 283.
His declaration conjointly with the Lord Keeper, 306—308.
See 277. 279.
Powle, Stephen, collections of (Tanner MSS), report of part of Blount's confession from, 317, 318 *note.*
Puckering, Sir John, Lord Keeper, death of, 30.
His secretary Jones, 371.
Puritans, Essex's show of sympathy towards the, 207. 261.

R.

Ralegh, Sir Walter, employed by the Queen to reconcile Essex and Nottingham, 91.
Consulted about Irish affairs: said to be unwilling to go as deputy, 100.
His reasons for keeping aloof, 123.
One of the Councillors whom Essex wanted to displace, 208. 221.
Charged by Essex with a plot to murder him, 209. 267. 309.
His explanation of a warning given by him to Sir Ferdinando Gorge, 222, 223.
Incident connected with his being sworn, 223 *note.*
Charges against him retracted by Essex, 236.
His murder suggested to Sir F. Gorge by Blount, 267.
His conversation with Sir C. Blount at execution of the latter, 316, 317.
See 279. 318. 342. 353. 363.
Rawley, Dr., Editor of Bacon's works, 91. 197. 272. 367. 372.
Reporting, no regular system of, in Elizabeth's days, 231.
Reynolds, Edward, secretary to Essex, 15. 33. 34.
Rich, Lady (Essex's sister), "piquant letter" written to the Queen by, 178. 199. 226.
Allowed to depart from Essex House, 273.
Rich, Lord, one of the Peers on Essex's trial, 283.
Richard III., the example of, 287.
Roman Catholics, Essex's promises of toleration to the, 207. 261.
Russell, Sir W., Lord Deputy in Ireland, 93. 95. 96 *note.* 100.
Rutland, Roger, Earl of, 4.
"Licence to pass over the seas" granted to him, 5.
Question as to authorship of the letters to him on travel. *See* Bacon; Essex.
Implicated in Essex's conspiracy, 235. 238.
Statements based on his confession, 268. 271. 272. 282.
His examination before the Lord Keeper and his colleagues, 309—311
See 277. 278.

S.

St. John de Bletso, Lord, one of the Peers on Essex's trial, 283.
St. Lawrence, Sir Christopher, murder of Lord Grey of Wilton volunteered by, 152.
Salisbury, Owen, a retainer of Essex, antecedents of, 270.
Slain in the attack on Essex House, 273.
Sancroft, William, Archbishop of Canterbury, 3. 21.
Sandys, Lord, implicated by Essex in his confessions, 236, 268.
His confession, 311, 312.
See 277. 278. 309.
Shrewsbury, Earl of, one of the Commissioners on the charges against Essex, 173 *note.*

Shrewsbury, Earl of—*continued.*
One of the Peers on Essex's trial, 283.
Written to by Bacon for the loan of a horse and armour, 370.
Sidney, Sir Robert, 273.
Skidmore, Sir John, 365.
Smith, Thomas, sheriff of London, how far implicated in Essex's treason, 210. 267. 271.
Alleged by Essex to be privy to his plot, 236. 309.
See 310. 312. 357.
Southampton, Henry Earl of, made General of the Horse by Essex against the Queen's command, but displaced, 134, 257, 258.
His account of Essex's consultation with himself and Blount, 147. 256, 257. 315. 316.
Essex commits the care of his fortunes to him and Montjoy, 169.
Goes into Ireland with letters from Essex, 171 *note* 3.
Owner of Drury House, 207.
Arraigned with Essex for treason, 214, 275.
Passage of words between him and Lord Grey, 223.
His answer to the charges against him, 228, 229. 278.
His behaviour at his trial, 232.
His connexion by marriage with Essex, 262.
His service to Sir C. Davers, *ibid.*
His complaint against Lord Grey, 269. 307.
His former friendship with Cecil, 280.
Names the authority for Essex's charge against Cecil, *ibid.*
Extent of his complicity with Essex, 310. 334—343.
Southampton, Earl of—*continued.*
His confession, 358—362.
See 144. 151. 163. 167. 222. 224. 230. 247. 261. 263. 265. 268. 311. 333. 343. 345. 346. 347. 355. 356.
Southwell, Robert, 'Supplication' of, 368.
Spain, Essex's expeditions against. *See* Cadiz: Essex.
Result of its retaliatory attempt upon the English coast, 74, 75.
See Infanta.
Spanish match, unpopularity of the, 241.
Squire, Edward, "that wicked traitor," 109.
Bacon's account of his 'Strange Conspiracy' 110—119.
Stafford, Lord, one of the Peers on Essex's trial, 283.
Stanhope, Sir John, 36. 273.
Letter to him from Bacon, 50.
Stanley, John, examination of, 108. 118 *note.*
Stanley, Sir William, 270.
Star Chamber, proceedings relative to Clerkship of, 56. *See* Bacon: Mill.
Stephens, Robert, catalogue of Bacon's letters in the collections of, 2. 3. 18.
Stoics; their mode of attaining an even temper of mind, 8.
Sussex, Earl of, 251.
One of the Peers on the trial of Essex, 283.
Sydney, Sir Robert, recommended by Essex for the Wardenship of the Cinque Ports, 48.
Sympson, a goldsmith, Bacon arrested for debt by, 106—108.

T.

Tanner MS. of Essex's trial in the Bodleian Library, 229 *note.*
Temple, Edward, statements of, to Dr. Fletcher, relative to the alleged threats against Essex, 363.
His letter on same subject to his friend Westwood, 364.
Temple, William (*query* Edward?), sent into the City by Essex, with tales of the dangers which threatened him, 267, 268.
Temple, William, disclaims all participation in Essex's plots, 364.
Tenison, Thomas, Archbishop of Canterbury, receives a box of Bacon's papers, 3.
Thomond (Toumond), Earl of, 96. 96 *note.*
Tillage. *See* Enclosures.
Tollemache, John, Esq., manuscript report of Essex's trial in possession of, 218.
Incidental references to the MS., 219 *note.* 229 *note.*
Tower of London, scheme of the Essex conspirators regarding the, 263.

Tracy, follower of Essex, killed, 272.
Traitors and conspirators, the ancient principle of, 261.
Travel, letters to the Earl of Rutland on, 6—20.
Question of their authorship: *See* Bacon: Essex.
Treason, mode of extracting evidence in cases of, 108, 109.
Tyrone, Earl of, character and rebellious proceedings of, in Ireland, 92, 93.
His case considered: terms offered to him: result of conference with Lord Lieutenant, 96—98.
Bacon's letter of advice to Essex on this subject, 98—100.
His victory over the English forces under Bagnall, 122, 123.
Tyrone, Earl of—*continued.*
His forces, and plan of action, 136. 137. 138.
His meeting, parley, and truce with Essex, 141—143.
Queen's commands regarding terms to be offered to him, 145.
His propositions, and the condition upon which they were communicated, 146. 147. 154, 155.
Report of his conference with Sir William Warren, 157.
Charges, declarations, confessions, etc., relative to his dealings with Essex, 179. 250—256. 291—294. 325. 327—329. 357.
See Essex; Knowd; Lee; MacRoory; Warren.

V.

Vere, Sir Francis, letter from Bacon to, recommending "one Mr. John Ashe," 373.
Villiers. *See* Buckingham.
Vriaghts, the, what they were, 97. 99 *note.*

W.

Waad, Mr., 107.
Joined with Bacon and Peyton in the examination of Stanley, 108. *See* 371.
Waits, wounded in the affray with Essex's followers, 272.
Walmesley, Justice, one of the Commissioners to hear the charges against Essex at York House, 173 *note.*
An assistant to the Peers on Essex's trial, 283.
Walpole, or Walpoole, Richard, "that exquisitely villainous Jesuit," 109.
Account of a conspiracy devised by him against the Queen, 110—119.
Walsingham, Sir Francis, service rendered by Blount to, 358.
War, when useful to a state, 12, *note* 2.
Advantages of invaders over the invaded, 24.
Principal strength of an army in the infantry, 80.
Provision for, in the absence of a standing army, 81.
Improvement of the Irish in the art of, 122.
Warren, Sir William, report from, of interview with Tyrone, 157. 254.
His declaration, 292.
Westwood, Edward, letter from Edward Temple to, 364.
Whitgift, John, Archbishop of Canterbury, one of the Commissioners to hear the charges against Essex at York House, 173 *note.*
Whyte, R., extracts from letters of, on Essex's movements, 148 *note.* 153 *notes.* 156 *note.*
Widdrington's evidence against Essex, 219.
Wilbraham, Mr., 96.
Associated with Bacon in inquiry into Essex's conspiracy, 213.
Williams, Miss: her edition of Chamberlain's letters, 232 *note.* *See* Errata.
Willis, Dr. Timothy: his letter to Cecil on Essex's movements in the City, 364.
Windebank, 103. 147.
Windsor, Lord, one of the Peers on Essex's trial, 283.
Winwood's Memorials cited, 137 *note.* 233. 235.
Wood, Thomas, confession of, relative to Essex's dealings with Tyrone, 255. 292.

Worcester, Earl of, one of the Commissioners to hear the charges against Essex at York House, 173 *note*.
Accompanies the Lord Keeper to Essex House by the Queen's command, 269.
One of the Peers on Essex's trial, 283.
See 277. 279. 311.
Wormewood (*query* Ormond), Earl of, 326. 327. 328.
Wotton's "Parallel," 242.

Z.

Zouch, Lord, one of the Commissioners to hear the charges against Essex, at York House, 173 *note*.

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